

No. 95
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House of Representatives
94th Legislature
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House Chamber, Lansing, Friday, December 19, 2008.

12:01 a.m.

The House was called to order by the Speaker Pro Tempore.

The roll was called by the Clerk of the House of Representatives, who announced that a quorum was present.

Accavitti—present	Dillon—e/d/s	Lahti—present	Pearce—present
Acciavatti—present	Donigan—present	LaJoy—present	Polidori—present
Agema—present	Ebli—present	Law, David—present	Proos—present
Amos—present	Elsenheimer—present	Law, Kathleen—present	Robertson—present
Angerer—present	Emmons—present	LeBlanc—present	Rocca—present
Ball—present	Espinoza—present	Leland—present	Sak—present
Bauer—present	Farrah—present	Lemmons—present	Schuitmaker—present
Bennett—excused	Gaffney—present	Lindberg—present	Scott—present
Bieda—present	Garfield—present	Marleau—present	Shaffer—present
Booher—present	Gillard—present	Mayes—present	Sheen—present
Brandenburg—present	Gonzales—present	McDowell—present	Sheltrown—present
Brown—present	Green—present	Meadows—present	Simpson—present
Byrnes—present	Griffin—present	Meekhof—present	Smith, Alma—present
Byrum—present	Hammel—present	Meisner—present	Smith, Virgil—present
Calley—present	Hammon—present	Melton—present	Spade—present
Casperson—present	Hansen—present	Meltzer—present	Stahl—present
Caswell—present	Hildenbrand—present	Miller—excused	Stakoe—present
Caul—present	Hood—present	Moolenaar—present	Steil—excused
Cheeks—present	Hoogendyk—present	Moore—present	Tobocman—present
Clack—present	Hopgood—present	Moss—present	Vagnozzi—excused
Clemente—present	Horn—present	Nitz—present	Valentine—present
Condino—present	Huizenga—present	Nofs—present	Walker—present
Constan—present	Hune—present	Opsommer—present	Ward—present
Corriveau—present	Jackson—present	Palmer—present	Warren—present
Coulouris—present	Johnson—present	Palsrok—present	Wenke—present
Cushingberry—e/d/s	Jones, Rick—present	Pastor—present	Wojno—present
Dean—present	Jones, Robert—present	Pavlov—present	Young—present
DeRoche—present	Knollenberg—present		

e/d/s = entered during session

Rep. John Espinoza, from the 83rd District, offered the following invocation:

“Heavenly Father we ask for Your blessing upon the members of this house, the people’s house. We ask that You watch over our brothers and sisters that have served the people of Michigan as their representatives in this institution. Protect them in their future endeavors. We ask for these things in Your son’s name, Amen.”

Rep. Tobocman moved that Reps. Bennett, Miller and Vagnozzi be excused from today’s session.
The motion prevailed.

Rep. Hansen moved that Rep. Steil be excused from today’s session.
The motion prevailed.

Motions and Resolutions

Rep. Tobocman moved that Rule 42 be suspended.
The motion prevailed, 3/5 of the members present voting therefor.

Rep. Tobocman moved that the Committee on Great Lakes and Environment be discharged from further consideration of **Senate Bill No. 1532**.

The motion prevailed, a majority of the members serving voting therefor.
The bill was placed on the order of Second Reading of Bills.

Second Reading of Bills

Senate Bill No. 1532, entitled

A bill to amend 1976 IL 1, entitled “A petition to initiate legislation to provide for the use of returnable containers for soft drinks, soda water, carbonated natural or mineral water, other nonalcoholic carbonated drink, and for beer, ale, or other malt drink of whatever alcoholic content, and for certain other beverage containers; to provide for the use of unredeemed bottle deposits; to prescribe the powers and duties of certain state agencies and officials; and to prescribe penalties and provide remedies,” (MCL 445.571 to 445.576) by adding section 2a.

The bill was read a second time.

Rep. Tobocman moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

Rep. Hansen moved that Rep. Elsenheimer be excused from the balance of today’s session.
The motion prevailed.

Rep. Hansen moved that Rep. Emmons be excused temporarily from today’s session.
The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 1532, entitled

A bill to amend 1976 IL 1, entitled “A petition to initiate legislation to provide for the use of returnable containers for soft drinks, soda water, carbonated natural or mineral water, other nonalcoholic carbonated drink, and for beer, ale,

or other malt drink of whatever alcoholic content, and for certain other beverage containers; to provide for the use of unredeemed bottle deposits; to prescribe the powers and duties of certain state agencies and officials; and to prescribe penalties and provide remedies,” (MCL 445.571 to 445.576) by adding section 2a.

Was read a third time and passed, 3/4 of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1190**Yeas—102**

Accavitti	Donigan	LaJoy	Pearce
Acciavatti	Ebli	Law, David	Polidori
Agema	Espinoza	Law, Kathleen	Proos
Amos	Farrah	LeBlanc	Robertson
Angerer	Gaffney	Leland	Rocca
Ball	Garfield	Lemmons	Sak
Bauer	Gillard	Lindberg	Schuitmaker
Bieda	Gonzales	Marleau	Scott
Booher	Green	Mayes	Shaffer
Brandenburg	Griffin	McDowell	Sheen
Brown	Hammel	Meadows	Sheltrown
Byrnes	Hammon	Meekhof	Simpson
Byrum	Hansen	Meisner	Smith, Alma
Calley	Hildenbrand	Melton	Smith, Virgil
Casperson	Hood	Meltzer	Spade
Caswell	Hoogendyk	Moolenaar	Stahl
Caul	Hopgood	Moore	Stakoe
Cheeks	Horn	Moss	Tobocman
Clack	Huizenga	Nitz	Valentine
Clemente	Hune	Nofs	Walker
Condino	Jackson	Opsommer	Ward
Constan	Johnson	Palmer	Warren
Corriveau	Jones, Rick	Palsrok	Wenke
Coulouris	Jones, Robert	Pastor	Wojno
Dean	Knollenberg	Pavlov	Young
DeRoche	Lahti		

Nays—0

In The Chair: Sak

The House agreed to the title of the bill.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

Rep. Tobocman moved that the Committee on Great Lakes and Environment be discharged from further consideration of **Senate Bill No. 1648**.

The motion prevailed, a majority of the members serving voting therefor.

The bill was placed on the order of Second Reading of Bills.

Second Reading of Bills

Senate Bill No. 1648, entitled

A bill to provide state payments to reverse vending machine manufacturers for the cost of retrofitting certain reverse vending machines; to provide money to certain dealers for the purchase of certain new reverse vending machines; to create the beverage container redemption antifraud fund; and to provide for the powers and duties of certain state governmental officers and entities.

The bill was read a second time.

Rep. Warren moved to amend the bill as follows:

1. Amend page 3, line 25, after “of” by striking out “updating” and inserting “retrofitting”.

2. Amend page 6, line 22, by striking out all of subdivision (d) and inserting:

“(d) The department shall expend money from the fund, upon appropriation, only for the purposes of this act and the reverse vending machine antifraud act, including, but not limited to, administration of those acts. However, the department may not use more than \$100,000.00 from the fund in any state fiscal year for administration of this act and the reverse vending machine antifraud act.”.

3. Amend page 11, line 16, by striking out all of enacting section 1 and renumbering the remaining enacting section.

The motion prevailed and the amendments were adopted, a majority of the members serving voting therefor.

Rep. Tobocman moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 1648, entitled

A bill to provide state payments to reverse vending machine manufacturers for the cost of retrofitting certain reverse vending machines; to provide money to certain dealers for the purchase of certain new reverse vending machines; to create the beverage container redemption antifraud fund; and to provide for the powers and duties of certain state governmental officers and entities.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1191

Yeas—100

Accavitti	DeRoche	Jones, Robert	Palsrok
Acciavatti	Donigan	Knollenberg	Pastor
Agema	Ebli	Lahti	Pavlov
Amos	Emmons	LaJoy	Pearce
Angerer	Espinoza	Law, David	Polidori
Ball	Farrah	Law, Kathleen	Proos
Bauer	Gaffney	LeBlanc	Robertson
Bieda	Garfield	Leland	Rocca
Booher	Gillard	Lemmons	Sak
Brandenburg	Gonzales	Lindberg	Schuitmaker
Brown	Green	Marleau	Scott
Byrnes	Griffin	Mayes	Sheltrown
Byrum	Hammel	McDowell	Simpson
Calley	Hammon	Meadows	Smith, Alma
Casperson	Hansen	Meekhof	Smith, Virgil
Caswell	Hildenbrand	Meisner	Spade
Caul	Hood	Melton	Stahl
Cheeks	Hoogendyk	Meltzer	Stakoe
Clack	Hopgood	Moolenaar	Tobocman
Clemente	Horn	Moore	Valentine

Condino	Huizenga	Moss	Ward
Constan	Hune	Nitz	Warren
Corriveau	Jackson	Nofs	Wenke
Coulouris	Johnson	Opsommer	Wojno
Dean	Jones, Rick	Palmer	Young

Nays—0

In The Chair: Sak

The House agreed to the title of the bill.
Rep. Tobocman moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.

Rep. Angerer moved that House Committees be given leave to meet during the balance of today's session.
The motion prevailed.

By unanimous consent the House returned to the order of
Motions and Resolutions

Rep. Tobocman moved that Rule 42 be suspended.
The motion prevailed, 3/5 of the members present voting therefor.

Rep. Tobocman moved that the Committee on Transportation be discharged from further consideration of **Senate Bill No. 1525**.

The motion prevailed, a majority of the members serving voting therefor.
The bill was placed on the order of Second Reading of Bills.

Second Reading of Bills

Senate Bill No. 1525, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 722 (MCL 257.722), as amended by 2006 PA 658.

The bill was read a second time.

Rep. Gonzales moved to amend the bill as follows:

1. Amend page 7, line 8, after "**WEBSITE**" by inserting "**OR, IF A LOCAL AUTHORITY DOES NOT HAVE A WEBSITE, THEN ON THE WEBSITE OF A STATEWIDE ROAD ASSOCIATION OF WHICH IT IS A MEMBER**".

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Tobocman moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

Rep. Hansen moved that Rep. DeRoche be excused from the balance of today's session.
The motion prevailed.

Rep. Hansen moved that Rep. Nitz be excused temporarily from today's session.
The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 1525, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 722 (MCL 257.722), as amended by 2006 PA 658.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1192

Yeas—98

Accavitti	Donigan	Knollenberg	Pearce
Acciavatti	Ebli	LaJoy	Polidori
Agema	Emmons	Law, David	Proos
Amos	Espinoza	Law, Kathleen	Robertson
Angerer	Farrah	LeBlanc	Rocca
Ball	Gaffney	Leland	Sak
Bauer	Garfield	Lemmons	Schuitmaker
Bieda	Gillard	Marleau	Scott
Booher	Gonzales	Mayes	Shaffer
Brandenburg	Green	McDowell	Sheen
Brown	Griffin	Meadows	Simpson
Byrnes	Hammel	Meekhof	Smith, Alma
Byrum	Hammon	Meisner	Smith, Virgil
Calley	Hansen	Melton	Spade
Casperson	Hildenbrand	Meltzer	Stahl
Caswell	Hood	Moolenaar	Stakoe
Caul	Hoogendyk	Moore	Tobocman
Clack	Hopgood	Moss	Valentine
Clemente	Horn	Nofs	Walker
Condino	Huizenga	Opsommer	Ward
Constan	Hune	Palmer	Warren
Corriveau	Jackson	Palsrok	Wenke
Coulouris	Johnson	Pastor	Wojno
Dean	Jones, Rick	Pavlov	Young
Dillon	Jones, Robert		

Nays—3

Lahti	Lindberg	Sheltrown
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In The Chair: Sak

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

"An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain

funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date.”

The House agreed to the full title.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

By unanimous consent the House returned to the order of

Messages from the Senate

House Bill No. 4611, entitled

A bill to authorize a process for retired law enforcement officers to carry concealed firearms in this state; to prescribe certain powers and duties of the department of state police, the commission on law enforcement standards, and certain other state officers and agencies; to impose certain civil and criminal penalties; to impose certain requirements on certain persons issued certificates to carry concealed firearms; to provide for certain civil immunity; to allow for the collection of certain fees; to create certain funds; to provide for the forfeiture of firearms under certain circumstances; and to provide for the promulgation of rules.

The Senate has substituted (S-5) the bill.

The Senate has passed the bill as substituted (S-5) and ordered that it be given immediate effect.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the (S-5) made to the bill by the Senate,

The substitute (S-5) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1193

Yeas—94

Accavitti	Emmons	Lahti	Pastor
Acciavatti	Espinoza	LaJoy	Pavlov
Agema	Farrah	Law, David	Pearce
Amos	Gaffney	Law, Kathleen	Polidori
Angerer	Garfield	LeBlanc	Proos
Ball	Gillard	Leland	Robertson
Bieda	Gonzales	Lemmons	Rocca
Booher	Green	Lindberg	Sak
Brandenburg	Griffin	Marleau	Schuitmaker
Brown	Hammel	Mayes	Scott
Byrnes	Hammon	McDowell	Shaffer
Byrum	Hansen	Meadows	Sheen
Calley	Hildenbrand	Meekhof	Sheltrown
Casperson	Hood	Meisner	Simpson
Caswell	Hoogendyk	Melton	Smith, Virgil
Caul	Hopgood	Meltzer	Spade
Clack	Horn	Moolenaar	Stahl
Clemente	Huizenga	Moore	Stakoe
Constan	Hune	Moss	Tobocman
Corriveau	Jackson	Nofs	Walker
Coulouris	Johnson	Opsommer	Ward
Dean	Jones, Rick	Palmer	Wenke
Donigan	Jones, Robert	Palsrok	Wojno
Ebli	Knollenberg		

Nays—6

Bauer
Condino

Smith, Alma
Valentine

Warren

Young

In The Chair: Sak

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

Rep. Dillon entered the House Chambers.

House Bill No. 4612, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 11b of chapter XVII (MCL 777.11b), as amended by 2005 PA 207.

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1927 PA 175, entitled “An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act,” by amending section 11b of chapter XVII (MCL 777.11b), as amended by 2008 PA 24.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the (S-1) made to the bill by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1194**Yeas—102**

Accavitti
Acciavatti
Agrama
Amos
Angerer
Ball

Ebli
Emmons
Espinoza
Farrah
Gaffney
Garfield

LaJoy
Law, David
Law, Kathleen
LeBlanc
Leland
Lemmons

Pearce
Polidori
Proos
Robertson
Rocca
Sak

Bauer	Gillard	Lindberg	Schuitmaker
Bieda	Gonzales	Marleau	Scott
Booher	Green	Mayes	Shaffer
Brandenburg	Griffin	McDowell	Sheen
Brown	Hammel	Meadows	Sheltrown
Byrnes	Hammon	Meekhof	Simpson
Byrum	Hansen	Meisner	Smith, Alma
Calley	Hildenbrand	Melton	Smith, Virgil
Casperson	Hood	Meltzer	Spade
Caswell	Hoogendyk	Moolenaar	Stahl
Caul	Hopgood	Moore	Stakoe
Clack	Horn	Moss	Tobocman
Clemente	Huizenga	Nitz	Valentine
Condino	Hune	Nofs	Walker
Constan	Jackson	Opsommer	Ward
Corriveau	Johnson	Palmer	Warren
Coulouris	Jones, Rick	Palsrok	Wenke
Dean	Jones, Robert	Pastor	Wojno
Dillon	Knollenberg	Pavlov	Young
Donigan	Lahti		

Nays—0

In The Chair: Sak

The House agreed to the title as amended.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

Rep. Tobocman moved that Rep. Melton be excused temporarily from today's session.
The motion prevailed.

House Bill No. 6627, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20173a (MCL 333.20173a), as amended by 2008 PA 123.

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the (S-1) made to the bill by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1195**Yeas—99**

Accavitti	Donigan	Knollenberg	Pearce
Acciavatti	Ebli	LaJoy	Polidori
Agema	Emmons	Law, David	Proos
Amos	Espinoza	Law, Kathleen	Robertson

Angerer	Farrah	LeBlanc	Rocca
Ball	Gaffney	Leland	Sak
Bauer	Garfield	Lemmons	Schuitmaker
Bieda	Gillard	Lindberg	Scott
Booher	Gonzales	Marleau	Shaffer
Brandenburg	Green	Mayes	Sheen
Brown	Griffin	McDowell	Simpson
Byrnes	Hammel	Meadows	Smith, Alma
Byrum	Hammon	Meekhof	Smith, Virgil
Calley	Hansen	Meisner	Spade
Casperson	Hildenbrand	Meltzer	Stahl
Caswell	Hood	Moolenaar	Stakoe
Caul	Hoogendyk	Moore	Tobocman
Clack	Hopgood	Moss	Valentine
Clemente	Horn	Nitz	Walker
Condino	Huizenga	Nofs	Ward
Constan	Hune	Opsommer	Warren
Corriveau	Jackson	Palmer	Wenke
Coulouris	Johnson	Palsrok	Wojno
Dean	Jones, Rick	Pastor	Young
Dillon	Jones, Robert	Pavlov	

Nays—2

Lahti

Sheltrown

In The Chair: Sak

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

House Bill No. 5651, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding section 16334 and part 179A.

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the (S-1) made to the bill by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1196

Yeas—78

Accavitti	Donigan	Jones, Robert	Polidori
Acciavatti	Ebli	Lahti	Proos
Angerer	Emmons	LaJoy	Sak
Ball	Espinoza	Law, David	Scott
Bauer	Farrah	Law, Kathleen	Shaffer
Bieda	Gaffney	LeBlanc	Sheen

Booher	Gillard	Leland	Sheltrown
Brown	Gonzales	Lemmons	Simpson
Byrnes	Griffin	Lindberg	Smith, Alma
Byrum	Hammel	Marleau	Smith, Virgil
Casperson	Hammon	Mayes	Spade
Caul	Hansen	McDowell	Stakoe
Clack	Hildenbrand	Meadows	Tobocman
Clemente	Hood	Meisner	Valentine
Condino	Hopgood	Moore	Ward
Constan	Huizenga	Nitz	Warren
Corriveau	Hune	Nofs	Wenke
Coulouris	Jackson	Palsrok	Wojno
Dean	Johnson	Pastor	Young
Dillon	Jones, Rick		

Nays—23

Agema	Green	Moolenaar	Robertson
Amos	Hoogendyk	Moss	Rocca
Brandenburg	Horn	Opsommer	Schuitmaker
Calley	Knollenberg	Palmer	Stahl
Caswell	Meekhof	Pavlov	Walker
Garfield	Meltzer	Pearce	

In The Chair: Sak

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

House Bill No. 5192, entitled

A bill to amend 1937 PA 94, entitled “Use tax act,” (MCL 205.91 to 205.111) by adding section 3f; and to repeal acts and parts of acts.

The Senate has amended the bill as follows:

1. Amend page 1, line 6, after “ACT” by inserting “**NOTWITHSTANDING ANY OTHER PROVISION OR EXEMPTION UNDER THIS ACT**”.

The Senate has passed the bill as amended, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the amendment made to the bill by the Senate,

The amendment was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1197**Yeas—100**

Accavitti	Ebli	Lahti	Pavlov
Acciavatti	Emmons	LaJoy	Pearce
Agema	Espinoza	Law, David	Polidori
Amos	Farrah	Law, Kathleen	Proos
Angerer	Gaffney	LeBlanc	Robertson
Ball	Garfield	Leland	Rocca
Bauer	Gillard	Lemmons	Sak

Bieda	Gonzales	Lindberg	Schuitmaker
Booher	Green	Marleau	Scott
Brandenburg	Griffin	Mayes	Shaffer
Brown	Hammel	McDowell	Sheen
Byrnes	Hammon	Meadows	Sheltrown
Byrum	Hansen	Meekhof	Simpson
Calley	Hildenbrand	Meisner	Smith, Alma
Casperson	Hood	Melton	Smith, Virgil
Caswell	Hoogendyk	Meltzer	Spade
Caul	Hopgood	Moolenaar	Stahl
Clack	Horn	Moore	Stakoe
Clemente	Huizenga	Moss	Tobocman
Constan	Hune	Nitz	Valentine
Corriveau	Jackson	Nofs	Walker
Coulouris	Johnson	Opsommer	Ward
Dean	Jones, Rick	Palmer	Warren
Dillon	Jones, Robert	Palsrok	Wenke
Donigan	Knollenberg	Pastor	Young

Nays—0

In The Chair: Sak

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

Rep. Tobocman moved that Reps. Virgil Smith and Wojno be excused temporarily from today's session.
The motion prevailed.

House Bill No. 6307, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 16631.

The Senate has amended the bill as follows:

1. Amend page 3, line 3, after "**MAINTAIN,**" by striking out "**AND**" and inserting "**AMEND, OR**".

The Senate has passed the bill as amended, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the amendment made to the bill by the Senate,

The amendment was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1198

Yeas—94

Accavitti	Donigan	LaJoy	Pearce
Acciavatti	Ebli	Law, David	Polidori
Amos	Emmons	Law, Kathleen	Proos
Angerer	Espinoza	LeBlanc	Robertson
Ball	Farrah	Leland	Rocca
Bauer	Gaffney	Lemmons	Sak

Bieda	Gillard	Lindberg	Schuitmaker
Booher	Gonzales	Marleau	Scott
Brandenburg	Green	Mayes	Shaffer
Brown	Griffin	McDowell	Sheen
Byrnes	Hammel	Meadows	Sheltrown
Byrum	Hammon	Meekhof	Simpson
Calley	Hansen	Meisner	Smith, Alma
Casperson	Hildenbrand	Melton	Spade
Caswell	Hood	Meltzer	Stahl
Caul	Hopgood	Moolenaar	Stakoe
Clack	Horn	Moore	Tobocman
Clemente	Huizenga	Moss	Valentine
Condino	Hune	Nitz	Walker
Constan	Jackson	Nofs	Ward
Corriveau	Johnson	Palsrok	Warren
Coulouris	Jones, Rick	Pastor	Wenke
Dean	Jones, Robert	Pavlov	Young
Dillon	Lahti		

Nays—6

Agema	Hoogendyk	Opsommer	Palmer
Garfield	Knollenberg		

In The Chair: Sak

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

Rep. Hansen moved that Reps. Acciavatti, LaJoy and David Law be excused from the balance of today's session.
The motion prevailed.

Rep. Tobocman moved that Reps. Jackson and Johnson be excused temporarily from today's session.
The motion prevailed.

House Bill No. 6500, entitled

A bill to amend 1965 PA 314, entitled "Public employee retirement system investment act," by amending sections 12d, 13, 19, 20d, 20j, and 20k (MCL 38.1132d, 38.1133, 38.1139, 38.1140d, 38.1140j, and 38.1140k), sections 12d, 19, and 20d as amended by 2000 PA 307, section 13 as amended by 2008 PA 273, and sections 20j and 20k as added by 1996 PA 485, and by adding section 19a; and to repeal acts and parts of acts.

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1965 PA 314, entitled "An act to authorize the investment of assets of public employee retirement systems or plans created and established by the state or any political subdivision; to provide for the payment of certain costs and investment expenses; to authorize investment in variable rate interest loans; to define and limit the investments which may be made by an investment fiduciary with the assets of a public employee retirement system; and to prescribe the powers and duties of investment fiduciaries and certain state departments and officers," by amending sections 12d, 13, 19, and 20d (MCL 38.1132d, 38.1133, 38.1139, and 38.1140d), sections 12d, 19, and 20d as amended by 2000 PA 307 and section 13 as amended by 2008 PA 273, and by adding section 19a.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the (S-1) made to the bill by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1199**Yeas—74**

Accavitti	Coulouris	Lahti	Polidori
Angerer	Dean	Law, Kathleen	Proos
Ball	Dillon	LeBlanc	Rocca
Bauer	Donigan	Leland	Sak
Bieda	Ebli	Lemmons	Schuitmaker
Booher	Espinoza	Lindberg	Scott
Brandenburg	Farrah	Mayes	Shaffer
Brown	Gaffney	McDowell	Sheltrown
Byrnes	Gillard	Meadows	Simpson
Byrum	Gonzales	Meisner	Smith, Alma
Calley	Griffin	Melton	Spade
Casperson	Hammel	Moore	Stakoe
Caswell	Hammon	Moss	Tobocman
Caul	Hansen	Nitz	Valentine
Clack	Hildenbrand	Nofs	Ward
Clemente	Hood	Palmer	Warren
Condino	Hopgood	Palsrok	Wenke
Constan	Horn	Pearce	Young
Corriveau	Jones, Robert		

Nays—21

Agema	Huizenga	Meekhof	Pavlov
Amos	Hune	Meltzer	Robertson
Emmons	Jones, Rick	Moolenaar	Sheen
Garfield	Knollenberg	Opsommer	Stahl
Green	Marleau	Pastor	Walker
Hoogendyk			

In The Chair: Sak

The House agreed to the title as amended.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

Rep. Tobocman moved that Rep. Meisner be excused temporarily from today's session.

The motion prevailed.

Rep. Hansen moved that Rep. Nitz be excused temporarily from today's session.

The motion prevailed.

Rep. Tobocman moved that Rep. Clack be excused temporarily from today's session.

The motion prevailed.

House Bill No. 6493, entitled

A bill to amend 1966 PA 346, entitled “State housing development authority act of 1966,” (MCL 125.1401 to 125.1499c) by adding chapter 3B.

The Senate has substituted (S-4) the bill.

The Senate has passed the bill as substituted (S-4), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the (S-4) made to the bill by the Senate,

The substitute (S-4) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1200**Yeas—92**

Accavitti	Donigan	Knollenberg	Pearce
Agema	Ebli	Lahti	Polidori
Amos	Emmons	Law, Kathleen	Proos
Angerer	Espinoza	LeBlanc	Robertson
Ball	Farrah	Leland	Rocca
Bauer	Gaffney	Lemmons	Sak
Bieda	Garfield	Lindberg	Schuitmaker
Booher	Gillard	Marleau	Scott
Brandenburg	Gonzales	Mayes	Shaffer
Brown	Green	McDowell	Sheen
Byrnes	Griffin	Meadows	Sheltrown
Byrum	Hammel	Meekhof	Simpson
Calley	Hammon	Melton	Smith, Alma
Casperson	Hansen	Meltzer	Spade
Caswell	Hildenbrand	Moolenaar	Stahl
Caul	Hood	Moore	Stakoe
Clemente	Hoogendyk	Moss	Tobocman
Condino	Hopgood	Nofs	Valentine
Constan	Horn	Opsommer	Walker
Corriveau	Huizenga	Palmer	Ward
Coulouris	Hune	Palsrok	Warren
Dean	Jones, Rick	Pastor	Wenke
Dillon	Jones, Robert	Pavlov	Young

Nays—0

In The Chair: Sak

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

Second Reading of Bills**Senate Bill No. 1264, entitled**

A bill to amend 2007 PA 36, entitled “Michigan business tax act,” by amending section 409 (MCL 208.1409), as amended by 2007 PA 145.

The bill was read a second time.

Rep. Bieda moved to amend the bill as follows:

1. Amend page 1, line 4, after “expenditures” by inserting “**IN THIS STATE**”.
2. Amend page 2, line 8, after “expenditures” by inserting “**IN THIS STATE**”.
3. Amend page 2, line 14, after “expenditures” by inserting “**IN THIS STATE**”.

The motion prevailed and the amendments were adopted, a majority of the members serving voting therefor.

Rep. Condino moved to amend the bill as follows:

1. Amend page 2, line 6, after “the” by striking out “**2008**” and inserting “2009”.
2. Amend page 2, line 11, after “the” by striking out “**2009**” and inserting “2010”.
3. Amend page 2, line 12, after “after” by striking out “**2009**” and inserting “2010”.

The motion prevailed and the amendments were adopted, a majority of the members serving voting therefor.

Rep. Tobocman moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 1264, entitled

A bill to amend 2007 PA 36, entitled “Michigan business tax act,” by amending section 409 (MCL 208.1409), as amended by 2007 PA 145.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1201

Yeas—90

Accavitti	Dillon	Lahti	Pearce
Agema	Donigan	LeBlanc	Polidori
Amos	Ebli	Leland	Proos
Angerer	Emmons	Lemmons	Robertson
Ball	Espinoza	Lindberg	Rocca
Bauer	Farrah	Marleau	Sak
Bieda	Gaffney	Mayes	Schuitmaker
Booher	Gonzales	McDowell	Scott
Brandenburg	Green	Meadows	Shaffer
Brown	Griffin	Meekhof	Sheen
Byrnes	Hammel	Meisner	Sheltrown
Byrum	Hammon	Melton	Simpson
Calley	Hansen	Meltzer	Smith, Alma
Casperson	Hildenbrand	Moolenaar	Spade
Caswell	Hood	Moore	Stahl
Caul	Hoogendyk	Moss	Stakoe
Clack	Hopgood	Nofs	Tobocman
Clemente	Horn	Opsommer	Valentine
Condino	Huizenga	Palmer	Ward
Constan	Hune	Palsrok	Warren
Corriveau	Jones, Rick	Pastor	Wenke
Coulouris	Jones, Robert	Pavlov	Young
Dean	Knollenberg		

Nays—2

Garfield

Walker

In The Chair: Sak

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, reporting, payment, and enforcement of taxes on certain commercial, business, and financial activities; to prescribe the powers and duties of public officers and state departments; to provide for the inspection of certain taxpayer records; to provide for interest and penalties; to provide exemptions, credits, and refunds; to provide for the disposition of funds; to provide for the interrelation of this act with other acts; and to make appropriations,”

The House agreed to the full title.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Second Reading of Bills

Senate Bill No. 1066, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” (MCL 257.1 to 257.923) by adding sections 3a and 320d.

(The bill was read a second time, substitute (H-2)* adopted and bill postponed temporarily on December 18, see House Journal No. 94, p. 3143.)

Rep. Meadows moved to amend the bill as follows:

1. Amend page 2, line 16, after “A” by striking out the balance of the line through “**500.8302**,” on line 18 and inserting “**MOVING VIOLATION**”.

2. Amend page 6, line 24, after “**SECTION**” by striking out the comma and inserting a colon and: “**(A)**”.

3. Amend page 6, following line 26, by inserting:

“**(B) “MOVING VIOLATION” MEANS AN ACT OR OMISSION PROHIBITED UNDER THIS ACT OR A LOCAL ORDINANCE SUBSTANTIALLY CORRESPONDING TO THIS ACT THAT INVOLVES THE OPERATION OF A MOTOR VEHICLE, AND FOR WHICH A FINE MAY BE IMPOSED.**”.

The motion did not prevail and the amendments were not adopted, a majority of the members serving not voting therefor.

Rep. Condino moved to substitute (H-3) the bill.

The motion prevailed and the substitute (H-3) was adopted, a majority of the members serving voting therefor.

Rep. Tobocman moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 1066, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” (MCL 257.1 to 257.923) by adding sections 3a and 320d.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1202

Yeas—79

Accavitti	Donigan	Jones, Rick	Proos
Agema	Ebli	Jones, Robert	Robertson
Amos	Emmons	Knollenberg	Rocca
Angerer	Espinoza	Law, Kathleen	Schuitmaker
Ball	Farrah	Leland	Scott
Bauer	Gaffney	Lemmons	Shaffer
Bieda	Garfield	Marleau	Sheen
Booher	Gillard	Mayes	Sheltrown
Brandenburg	Gonzales	Meekhof	Simpson

Brown	Green	Meisner	Smith, Alma
Byrnes	Griffin	Melton	Stahl
Byrum	Hammel	Moore	Stakoe
Casperson	Hammon	Moss	Tobocman
Caul	Hansen	Nofs	Valentine
Clack	Hildenbrand	Opsommer	Walker
Clemente	Hood	Palsrok	Ward
Condino	Hopgood	Pastor	Warren
Constan	Horn	Pavlov	Wenke
Dean	Huizenga	Pearce	Young
Dillon	Hune	Polidori	

Nays—15

Calley	Hoogendyk	McDowell	Palmer
Caswell	Lahti	Meadows	Sak
Corriveau	LeBlanc	Meltzer	Spade
Coulouris	Lindberg	Moolenaar	

In The Chair: Sak

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date.”

The House agreed to the full title.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

Rep. Tobocman moved that the Committee on Commerce be discharged from further consideration of **Senate Bill No. 146**.

The motion prevailed, a majority of the members serving voting therefor.

The bill was placed on the order of Second Reading of Bills.

Second Reading of Bills

Senate Bill No. 146, entitled

A bill to amend 1974 PA 198, entitled “An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and

collect a specific tax upon the owners of certain facilities; to impose and provide for the disposition of an administrative fee; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties,” by amending sections 2, 4, 14, and 14a (MCL 207.552, 207.554, 207.564, and 207.564a), section 2 as amended by 2007 PA 146, section 4 as amended by 2004 PA 437, section 14 as amended by 2007 PA 146, and section 14a as amended by 2007 PA 39, and by adding section 17a.

The bill was read a second time.

Rep. Spade moved to substitute (H-4) the bill.

The motion prevailed and the substitute (H-4) was adopted, a majority of the members serving voting therefor.

Rep. Spade moved to amend the bill as follows:

1. Amend page 7, following line 26, by inserting:

“Enacting section 1. This amendatory act does not take effect unless House Bill No. 6611 of the 94th Legislature is enacted into law.”.

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Tobocman moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

Rep. Tobocman moved that Reps. Farrah, Hood, Lahti, Leland, Scott, Virgil Smith, Wojno and Young be excused temporarily from today’s session.

The motion prevailed.

Rep. Hansen moved that Reps. Hoogendyk, Palmer and Gaffney be excused from the balance of today’s session.

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 146, entitled

A bill to amend 1974 PA 198, entitled “An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to impose and provide for the disposition of an administrative fee; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties,” by amending sections 2, 4, 14, and 14a (MCL 207.552, 207.554, 207.564, and 207.564a), section 2 as amended by 2007 PA 146, section 4 as amended by 2004 PA 437, section 14 as amended by 2007 PA 146, and section 14a as amended by 2007 PA 39, and by adding section 17a.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1203

Yeas—71

Accavitti	Dean	Law, Kathleen	Pearce
Amos	Dillon	LeBlanc	Polidori
Angerer	Donigan	Lindberg	Proos
Ball	Ebli	Marleau	Robertson
Bieda	Emmons	Mayes	Rocca
Booher	Espinoza	McDowell	Sak
Brandenburg	Gonzales	Meadows	Shaffer
Brown	Green	Meekhof	Sheen
Calley	Griffin	Meisner	Sheltrown

Casperson	Hammel	Melton	Simpson
Caswell	Hammon	Meltzer	Spade
Caul	Hansen	Moore	Stahl
Clack	Hildenbrand	Moss	Stakoe
Clemente	Hopgood	Nitz	Tobocman
Condino	Horn	Nofs	Valentine
Constan	Huizenga	Palsrok	Ward
Corriveau	Jones, Rick	Pastor	Wenke
Coulouris	Knollenberg	Pavlov	

Nays—13

Agema	Gillard	Moolenaar	Smith, Alma
Bauer	Hune	Opsommer	Walker
Byrnes	Jones, Robert	Schuitmaker	Warren
Byrum			

In The Chair: Sak

The question being on agreeing to the title of the bill,

Rep. Tobocman moved to amend the title to read as follows:

A bill to amend 1974 PA 198, entitled “An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to impose and provide for the disposition of an administrative fee; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties,” by amending section 2 (MCL 207.552), as amended by 2008 PA 170.

The motion prevailed.

The House agreed to the title as amended.

Rep. Hansen moved that Rep. Garfield be excused from the balance of today’s session.

The motion prevailed.

Rep. Tobocman moved that Rep. Hopgood be excused temporarily from today’s session.

The motion prevailed.

Rep. Tobocman moved to reconsider the vote by which the House passed the bill.

The motion prevailed, a majority of the members serving voting therefor.

The question being on the passage of the bill,

The bill was then passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1204**Yeas—57**

Accavitti	Dillon	Knollenberg	Pearce
Agema	Emmons	Lahti	Polidori
Ball	Espinoza	LeBlanc	Proos
Bieda	Gillard	Lemmons	Robertson
Brandenburg	Gonzales	Marleau	Rocca
Brown	Green	McDowell	Shaffer

Calley	Hammel	Meekhof	Sheen
Casperson	Hansen	Meltzer	Simpson
Caswell	Hildenbrand	Moss	Smith, Virgil
Caul	Horn	Nitz	Spade
Clack	Huizenga	Nofs	Stahl
Condino	Jackson	Palsrok	Tobocman
Constan	Johnson	Pastor	Valentine
Corriveau	Jones, Rick	Pavlov	Wenke
Dean			

Nays—31

Amos	Donigan	Mayes	Schuitmaker
Angerer	Ebli	Meadows	Sheltrown
Bauer	Griffin	Meisner	Smith, Alma
Booher	Hammon	Melton	Stakoe
Byrnes	Hune	Moolenaar	Walker
Byrum	Jones, Robert	Moore	Ward
Clemente	Law, Kathleen	Opsommer	Warren
Coulouris	Lindberg	Sak	

In The Chair: Sak

The question being on agreeing to the title of the bill,

Rep. Tobocman moved to amend the title to read as follows:

A bill to amend 1974 PA 198, entitled “An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to impose and provide for the disposition of an administrative fee; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties,” by amending section 2 (MCL 207.552), as amended by 2008 PA 170.

The motion prevailed.

The House agreed to the title as amended.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

Rep. Tobocman moved that the Committee on Education be discharged from further consideration of **Senate Bill No. 861**.

The motion prevailed, a majority of the members serving voting therefor.

The bill was placed on the order of Second Reading of Bills.

Second Reading of Bills

Senate Bill No. 861, entitled

A bill to authorize the creation of promise zones and implementation of promise zone development plans; to provide for the creation of promise zone authorities; to prescribe the powers and duties of promise zone authorities; to provide

for the capture and disbursement of certain tax revenue; to prescribe powers and duties of certain state and local officials; and to repeal acts and parts of acts.

The bill was read a second time.

Rep. Melton moved to substitute (H-2) the bill.

The motion prevailed and the substitute (H-2) was adopted, a majority of the members serving voting therefor.

Rep. Melton moved to amend the bill as follows:

1. Amend page 4, line 2, after “than” by striking out “5” and inserting “3”.

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Melton moved to amend the bill as follows:

1. Amend page 13, line 8, by striking out all of enacting section 1 and inserting:

“Enacting section 1. This amendatory act does not take effect unless House Bill No. 5375 of the 94th Legislature is enacted into law.”.

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Melton moved to amend the bill as follows:

1. Amend page 6, line 1, after “tuition” by inserting “necessary to obtain a bachelor’s degree”.

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Tobocman moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 861, entitled

A bill to authorize the creation of promise zones and implementation of promise zone development plans; to provide for the creation of promise zone authorities; to prescribe the powers and duties of promise zone authorities; to provide for the capture and disbursement of certain tax revenue; to prescribe powers and duties of certain state and local officials; and to repeal acts and parts of acts.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Tobocman moved that consideration of the bill be postponed temporarily.

The motion prevailed.

Rep. Tobocman moved that Rep. Melton be excused temporarily from today’s session.

The motion prevailed.

By unanimous consent the House returned to the order of

Messages from the Senate

House Bill No. 5089, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16 of chapter X (MCL 770.16), as amended by 2005 PA 4.

The Senate has substituted (S-3) the bill.

The Senate has passed the bill as substituted (S-3), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the (S-3) made to the bill by the Senate,

The substitute (S-3) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1205**Yeas—93**

Accavitti	Donigan	Lahti	Polidori
Agema	Ebli	Law, Kathleen	Proos
Amos	Emmons	LeBlanc	Robertson
Angerer	Espinoza	Leland	Rocca
Ball	Farrah	Lemmons	Sak
Bauer	Gillard	Lindberg	Schuitmaker
Bieda	Gonzales	Marleau	Scott
Booher	Green	Mayes	Shaffer
Brandenburg	Griffin	McDowell	Sheen
Brown	Hammel	Meadows	Sheltrown
Byrnes	Hammon	Meekhof	Simpson
Byrum	Hansen	Meisner	Smith, Alma
Calley	Hildenbrand	Meltzer	Smith, Virgil
Casperson	Hood	Moolenaar	Spade
Caswell	Hopgood	Moore	Stahl
Caul	Horn	Moss	Stakoe
Clack	Huizenga	Nitz	Tobocman
Clemente	Hune	Nofs	Valentine
Condino	Jackson	Opsommer	Walker
Constan	Johnson	Palsrok	Ward
Corriveau	Jones, Rick	Pastor	Warren
Coulouris	Jones, Robert	Pavlov	Wenke
Dean	Knollenberg	Pearce	Young
Dillon			

Nays—0

In The Chair: Sak

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

House Bill No. 6092, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 422a.

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the (S-1) made to the bill by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1206**Yeas—92**

Accavitti	Dillon	Lahti	Pearce
Agema	Donigan	Law, Kathleen	Polidori

Amos	Ebli	LeBlanc	Proos
Angerer	Emmons	Leland	Robertson
Ball	Espinoza	Lemmons	Rocca
Bauer	Farrah	Lindberg	Sak
Bieda	Gillard	Marleau	Schuitmaker
Booher	Gonzales	Mayes	Scott
Brandenburg	Green	McDowell	Shaffer
Brown	Griffin	Meadows	Sheen
Byrnes	Hammel	Meekhof	Sheltrown
Byrum	Hammon	Meisner	Simpson
Calley	Hansen	Melton	Smith, Alma
Casperson	Hildenbrand	Meltzer	Spade
Caswell	Hopgood	Moolenaar	Stahl
Caul	Horn	Moore	Stakoe
Clack	Huizenga	Moss	Tobocman
Clemente	Hune	Nitz	Valentine
Condino	Jackson	Nofs	Walker
Constan	Johnson	Opsommer	Ward
Corriveau	Jones, Rick	Palsrok	Warren
Coulouris	Jones, Robert	Pastor	Wenke
Dean	Knollenberg	Pavlov	Young

Nays—0

In The Chair: Sak

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

House Bill No. 6611, entitled

A bill to amend 2007 PA 36, entitled “Michigan business tax act,” (MCL 208.1101 to 208.1601) by adding section 434.

The Senate has substituted (S-2) the bill.

The Senate has passed the bill as substituted (S-2), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the (S-2) made to the bill by the Senate,

The substitute (S-2) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1207

Yeas—94

Accavitti	Donigan	Law, Kathleen	Polidori
Agema	Ebli	LeBlanc	Proos
Amos	Emmons	Leland	Robertson
Angerer	Espinoza	Lemmons	Rocca
Ball	Farrah	Lindberg	Sak
Bauer	Gillard	Marleau	Schuitmaker
Bieda	Gonzales	Mayes	Scott
Booher	Green	McDowell	Shaffer
Brandenburg	Griffin	Meadows	Sheen
Brown	Hammel	Meekhof	Sheltrown
Byrnes	Hammon	Meisner	Simpson
Byrum	Hansen	Melton	Smith, Alma

Calley	Hildenbrand	Meltzer	Smith, Virgil
Casperson	Hood	Moolenaar	Spade
Caswell	Hopgood	Moore	Stahl
Caul	Horn	Moss	Stakoe
Clack	Huizenga	Nitz	Tobocman
Clemente	Hune	Nofs	Valentine
Condino	Jackson	Opsommer	Walker
Constan	Johnson	Palsrok	Ward
Corriveau	Jones, Rick	Pastor	Warren
Coulouris	Jones, Robert	Pavlov	Wenke
Dean	Knollenberg	Pearce	Young
Dillon	Lahti		

Nays—0

In The Chair: Sak

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

Senate Bill No. 158, entitled

A bill to amend 1931 PA 328, entitled “An act to revise, consolidate, codify, and add to the statutes relating to crimes; to define crimes and prescribe the penalties and remedies; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act,” by amending section 136b (MCL 750.136b), as amended by 1999 PA 273.

The Senate has amended the House substitute (H-1) as follows:

1. Amend page 1, line 7, after “provide” by striking out “the”.
2. Amend page 1, line 8, after the second “or” by striking out “the”.
3. Amend page 2, line 4, after “injury” by striking out the balance of the subdivision and inserting “to a child that seriously impairs the child’s health or physical well-being, including ; ~~but not limited to,~~ brain damage, a skull or bone fracture, subdural hemorrhage or hematoma, dislocation, sprain, internal injury, poisoning, burn or scald, or severe cut.”.
4. Amend page 3, line 5, by striking out “EITHER” and inserting “ANY”.
5. Amend page 3, line 5, after “FOLLOWING” by striking out “APPLIES” and inserting “APPLY”.
6. Amend page 3, line 9, after “CIRCUMSTANCES” by striking out “CREATES” and inserting “POSES”.
7. Amend page 3, line 9, after “HARM” by inserting “OR INJURY”.
8. Amend page 3, line 14, after “if” by striking out “EITHER” and inserting “ANY”.
9. Amend page 3, line 14, after “FOLLOWING” by striking out “APPLIES” and inserting “APPLY”.
10. Amend page 3, line 18, after “CIRCUMSTANCES” by striking out “CREATES” and inserting “POSES”.
11. Amend page 3, line 18, after “HARM” by inserting “OR INJURY”.
12. Amend page 4, following line 6, by striking out all of subsection (11).

The Senate has concurred in the House substitute (H-1) as amended, ordered that the bill be given immediate effect and agreed to the full title.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the amendments to the House substitute (H-1) made to the bill by the Senate,

The amendments were concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1208

Yeas—90

Accavitti	Donigan	LeBlanc	Polidori
Amos	Ebli	Leland	Proos

Angerer	Emmons	Lemmons	Robertson
Ball	Espinoza	Lindberg	Rocca
Bauer	Farrah	Marleau	Sak
Bieda	Gillard	Mayes	Schuitmaker
Booher	Gonzales	McDowell	Scott
Brandenburg	Griffin	Meadows	Shaffer
Brown	Hammel	Meekhof	Sheltrown
Byrnes	Hammon	Meisner	Simpson
Byrum	Hansen	Melton	Smith, Alma
Calley	Hildenbrand	Meltzer	Smith, Virgil
Casperson	Hood	Moolenaar	Spade
Caswell	Hopgood	Moore	Stahl
Caul	Horn	Moss	Stakoe
Clack	Huizenga	Nitz	Tobocman
Clemente	Hune	Nofs	Valentine
Condino	Jackson	Opsommer	Walker
Constan	Johnson	Palsrok	Ward
Corriveau	Jones, Rick	Pastor	Warren
Coulouris	Jones, Robert	Pavlov	Wenke
Dean	Knollenberg	Pearce	Young
Dillon	Law, Kathleen		

Nays—4

Agema	Green	Lahti	Sheen
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In The Chair: Sak

Senate Bill No. 1175, entitled

A bill to amend 1984 PA 270, entitled “An act relating to the economic development of this state; to create the Michigan strategic fund and to prescribe its powers and duties; to transfer and provide for the acquisition and succession to the rights, properties, obligations, and duties of the job development authority and the Michigan economic development authority to the Michigan strategic fund; to provide for the expenditure of proceeds in certain funds to which the Michigan strategic fund succeeds in ownership; to provide for the issuance of, and terms and conditions for, certain notes and bonds of the Michigan strategic fund; to create certain boards and funds; to create certain permanent funds; to exempt the property, income, and operation of the fund and its bonds and notes, and the interest thereon, from certain taxes; to provide for the creation of certain centers within and for the purposes of the Michigan strategic fund; to provide for the creation and funding of certain accounts for certain purposes; to impose certain powers and duties upon certain officials, departments, and authorities of this state; to make certain loans, grants, and investments; to provide penalties; to make an appropriation; and to repeal acts and parts of acts,” by amending section 88d (MCL 125.2088d), as amended by 2008 PA 223 and by adding section 88r.

The Senate has substituted (S-2) the House substitute (H-1).

The Senate has concurred in the House substitute (H-1) as substituted (S-2), ordered that the bill be given immediate effect, agreed to the full title and amended the title to read as follows:

A bill to amend 1984 PA 270, entitled “An act relating to the economic development of this state; to create the Michigan strategic fund and to prescribe its powers and duties; to transfer and provide for the acquisition and succession to the rights, properties, obligations, and duties of the job development authority and the Michigan economic development authority to the Michigan strategic fund; to provide for the expenditure of proceeds in certain funds to which the Michigan strategic fund succeeds in ownership; to provide for the issuance of, and terms and conditions for, certain notes and bonds of the Michigan strategic fund; to create certain boards and funds; to create certain permanent funds; to exempt the property, income, and operation of the fund and its bonds and notes, and the interest thereon, from certain taxes; to provide for the creation of certain centers within and for the purposes of the Michigan strategic fund; to provide for the creation and funding of certain accounts for certain purposes; to impose certain powers and duties upon certain officials, departments, and authorities of this state; to make certain loans, grants, and investments; to provide penalties; to make an appropriation; and to repeal acts and parts of acts,” by amending section 88d (MCL 125.2088d), as amended by 2008 PA 223.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the substitute (S-2) to the House substitute (H-1) made to the bill by the Senate,

The substitute (S-2) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1209

Yeas—94

Accavitti	Donigan	Law, Kathleen	Polidori
Agema	Ebli	LeBlanc	Proos
Amos	Emmons	Leland	Robertson
Angerer	Espinoza	Lemmons	Rocca
Ball	Farrah	Lindberg	Sak
Bauer	Gillard	Marleau	Schuitmaker
Bieda	Gonzales	Mayes	Scott
Booher	Green	McDowell	Shaffer
Brandenburg	Griffin	Meadows	Sheen
Brown	Hammel	Meekhof	Sheltrown
Byrnes	Hammon	Meisner	Simpson
Byrum	Hansen	Melton	Smith, Alma
Calley	Hildenbrand	Meltzer	Smith, Virgil
Casperson	Hood	Moolenaar	Spade
Caswell	Hopgood	Moore	Stahl
Caul	Horn	Moss	Stakoe
Clack	Huizenga	Nitz	Tobocman
Clemente	Hune	Nofs	Valentine
Condino	Jackson	Opsommer	Walker
Constan	Johnson	Palsrok	Ward
Corriveau	Jones, Rick	Pastor	Warren
Coulouris	Jones, Robert	Pavlov	Wenke
Dean	Knollenberg	Pearce	Young
Dillon	Lahti		

Nays—0

In The Chair: Sak

The House agreed to the title as amended.

Second Reading of Bills

Senate Bill No. 104, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 303, 319, 319b, 320a, 625, 625c, 625m, 625n, 626, 727, 732a, 904d, and 907 (MCL 257.303, 257.319, 257.319b, 257.320a, 257.625, 257.625c, 257.625m, 257.625n, 257.626, 257.727, 257.732a, 257.904d, and 257.907), sections 303, 319b, and 907 as amended by 2006 PA 298, section 319 as amended by 2004 PA 362, section 320a as amended by 2004 PA 495, section 625 as amended by 2006 PA 564, sections 625c, 625m, and 904d as amended by 2003 PA 61, section 625n as amended by 1998 PA 349, section 626 as amended by 2004 PA 331, section 727 as amended by 2004 PA 62, and section 732a as amended by 2004 PA 52, and by adding section 601d; and to repeal acts and parts of acts.

Was read a second time, and the question being on the adoption of the proposed substitute (H-2) previously recommended by the Committee on Transportation,

The substitute (H-2) was not adopted, a majority of the members serving not voting therefor.

Rep. Hopgood moved to substitute (H-5) the bill.

The motion prevailed and the substitute (H-5) was adopted, a majority of the members serving voting therefor.

Rep. Tobocman moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 104, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 303, 319, 319b, 320a, 625, 625c, 625m, 625n, 626, 727, 732a, 904d, and 907 (MCL 257.303, 257.319, 257.319b, 257.320a, 257.625, 257.625c, 257.625m, 257.625n, 257.626, 257.727, 257.732a, 257.904d, and 257.907), sections 303, 319b, and 907 as amended by 2006 PA 298, section 319 as amended by 2004 PA 362, section 320a as amended by 2004 PA 495, section 625 as amended by 2006 PA 564, sections 625c, 625m, and 904d as amended by 2003 PA 61, section 625n as amended by 1998 PA 349, section 626 as amended by 2004 PA 331, section 727 as amended by 2004 PA 62, and section 732a as amended by 2004 PA 52, and by adding section 601d; and to repeal acts and parts of acts.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1210

Yeas—92

Accavitti	Donigan	Lahti	Pearce
Agema	Ebli	Law, Kathleen	Polidori
Amos	Emmons	LeBlanc	Proos
Angerer	Espinoza	Leland	Robertson
Ball	Farrah	Lemmons	Rocca
Bauer	Gillard	Lindberg	Sak
Bieda	Gonzales	Marleau	Schuitmaker
Booher	Green	Mayes	Scott
Brandenburg	Griffin	McDowell	Shaffer
Brown	Hammel	Meadows	Sheen
Byrnes	Hammon	Meekhof	Sheltrown
Byrum	Hansen	Meisner	Simpson
Calley	Hildenbrand	Melton	Smith, Alma
Casperson	Hood	Meltzer	Smith, Virgil
Caul	Hopgood	Moolenaar	Spade
Clack	Horn	Moore	Stahl
Clemente	Huizenga	Moss	Stakoe
Condino	Hune	Nitz	Tobocman
Constan	Jackson	Nofs	Valentine
Corriveau	Johnson	Opsommer	Ward
Coulouris	Jones, Rick	Palsrok	Warren
Dean	Jones, Robert	Pastor	Wenke
Dillon	Knollenberg	Pavlov	Young

Nays—2

Caswell

Walker

In The Chair: Sak

The question being on agreeing to the title of the bill,

Rep. Tobocman moved to amend the title to read as follows:

A bill to amend 1949 PA 300, entitled "An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date," by amending sections 303, 319, 319b, 320a, 625, 625c, 625m, 625n, 626, 727, 732a, 904d, and 907 (MCL 257.303, 257.319, 257.319b, 257.320a, 257.625, 257.625c, 257.625m, 257.625n, 257.626, 257.727, 257.732a, 257.904d, and 257.907), section 303 as amended by 2008 PA 7, section 319 as amended by 2004 PA 362, sections 319b and 907 as amended by 2006 PA 298, section 320a as amended by 2004 PA 495, section 625 as amended by 2006 PA 564, sections 625c, 625m, and 904d as amended by 2003 PA 61, section 625n as amended by 1998 PA 349, section 626 as amended by 2004 PA 331, section 727 as amended by 2004 PA 62, and section 732a as amended by 2004 PA 52, and by adding section 601d; and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Second Reading of Bills

Senate Bill No. 291, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 411u.

Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Judiciary,

The substitute (H-1) was adopted, a majority of the members serving voting therefor.

Rep. Meadows moved to amend the bill as follows:

1. Amend page 1, line 8, after "**PEOPLE**" by inserting a comma and "**OTHER THAN A NONPROFIT ORGANIZATION,**".

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Meadows moved to amend the bill as follows:

1. Amend page 1, line 3, after "**MOTIVE**" by striking out the balance of the line through "**OPPORTUNITY**" on line 4.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Tobocman moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 291, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 411u.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1211**Yeas—85**

Accavitti	Dillon	LeBlanc	Pearce
Agema	Donigan	Leland	Polidori
Amos	Ebli	Lemmons	Proos
Angerer	Emmons	Lindberg	Robertson
Ball	Espinoza	Marleau	Rocca
Bauer	Gillard	Mayes	Sak
Bieda	Gonzales	McDowell	Schuitmaker
Booher	Green	Meadows	Shaffer
Brandenburg	Griffin	Meekhof	Sheen
Brown	Hammel	Meisner	Sheltrown
Byrnes	Hammon	Melton	Simpson
Byrum	Hansen	Meltzer	Smith, Alma
Calley	Hildenbrand	Moolenaar	Spade
Casperson	Hopgood	Moore	Stahl
Caswell	Horn	Moss	Stakoe
Caul	Huizenga	Nitz	Valentine
Clack	Hune	Nofs	Walker
Clemente	Jones, Rick	Opsommer	Ward
Condino	Jones, Robert	Palsrok	Warren
Corriveau	Knollenberg	Pastor	Wenke
Coulouris	Lahti	Pavlov	Young
Dean			

Nays—9

Constan	Jackson	Law, Kathleen	Smith, Virgil
Farrah	Johnson	Scott	Tobocman
Hood			

In The Chair: Sak

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to revise, consolidate, codify, and add to the statutes relating to crimes; to define crimes and prescribe the penalties and remedies; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act,”

The House agreed to the full title.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Second Reading of Bills**Senate Bill No. 292, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16t of chapter XVII (MCL 777.16t), as amended by 2004 PA 112.

Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Judiciary,

The substitute (H-1) was adopted, a majority of the members serving voting therefor.

Rep. Tobocman moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.
The motion prevailed, a majority of the members serving voting therefor.

Rep. Tobocman moved that Rep. Dillon be excused temporarily from today's session.
The motion prevailed.

By unanimous consent the House returned to the order of
Third Reading of Bills

Senate Bill No. 292, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16t of chapter XVII (MCL 777.16t), as amended by 2004 PA 112.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1212

Yeas—84

Accavitti	Dean	LeBlanc	Pearce
Agema	Donigan	Leland	Polidori
Amos	Ebli	Lemmons	Proos
Angerer	Espinoza	Lindberg	Robertson
Ball	Farrah	Marleau	Rocca
Bauer	Gillard	Mayes	Sak
Bieda	Gonzales	McDowell	Schuitmaker
Booher	Green	Meadows	Shaffer
Brandenburg	Griffin	Meekhof	Sheen
Brown	Hammel	Meisner	Sheltrown
Byrnes	Hammon	Melton	Simpson
Byrum	Hansen	Meltzer	Smith, Alma
Calley	Hildenbrand	Moolenaar	Spade
Casperson	Hopgood	Moore	Stahl
Caswell	Horn	Moss	Stakoe
Caul	Huizenga	Nitz	Valentine
Clack	Hune	Nofs	Walker
Clemente	Jones, Rick	Opsommer	Ward
Condino	Jones, Robert	Palsrok	Warren
Corriveau	Knollenberg	Pastor	Wenke
Coulouris	Lahti	Pavlov	Young

Nays—9

Constan	Jackson	Law, Kathleen	Smith, Virgil
Emmons	Johnson	Scott	Tobocman
Hood			

In The Chair: Sak

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

"An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to

the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act,”

The House agreed to the full title.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Second Reading of Bills

Senate Bill No. 660, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” (MCL 750.1 to 750.568) by adding section 411u.

Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Judiciary,

The substitute (H-1) was adopted, a majority of the members serving voting therefor.

Rep. Schuitmaker moved to amend the bill as follows:

1. Amend page 2, line 19, after “**RECOGNITION**,” by striking out the balance of the subparagraph and inserting “**GEOGRAPHICAL OR TERRITORIAL SITES, OR BOUNDARY OR LOCATION**.”

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Meadows moved to amend the bill as follows:

1. Amend page 2, line 15, after “**PEOPLE**” by inserting a comma and “**OTHER THAN A NONPROFIT ORGANIZATION**.”

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Tobocman moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 660, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” (MCL 750.1 to 750.568) by adding section 411u.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1213

Yeas—87

Accavitti
Agema
Amos
Angerer
Ball
Bauer

Dillon
Donigan
Ebli
Emmons
Espinoza
Farrah

Lahti
LeBlanc
Leland
Lemmons
Lindberg
Marleau

Pearce
Polidori
Proos
Robertson
Rocca
Sak

Bieda	Gillard	Mayes	Schuitmaker
Booher	Gonzales	McDowell	Shaffer
Brandenburg	Green	Meadows	Sheen
Brown	Griffin	Meekhof	Sheltrown
Byrnes	Hammel	Meisner	Simpson
Byrum	Hammon	Melton	Smith, Alma
Calley	Hansen	Meltzer	Spade
Casperson	Hildenbrand	Moolenaar	Stahl
Caswell	Hood	Moore	Stakoe
Caul	Hopgood	Moss	Valentine
Clack	Horn	Nitz	Walker
Clemente	Huizenga	Nofs	Ward
Condino	Hune	Opsommer	Warren
Corriveau	Jones, Rick	Palsrok	Wenke
Coulouris	Jones, Robert	Pastor	Young
Dean	Knollenberg	Pavlov	

Nays—7

Constan	Johnson	Scott	Tobocman
Jackson	Law, Kathleen	Smith, Virgil	

In The Chair: Sak

The question being on agreeing to the title of the bill,

Rep. Tobocman moved to amend the title to read as follows:

A bill to amend 1931 PA 328, entitled “An act to revise, consolidate, codify, and add to the statutes relating to crimes; to define crimes and prescribe the penalties and remedies; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act,” (MCL 750.1 to 750.568) by adding section 411v.

The motion prevailed.

The House agreed to the title as amended.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Second Reading of Bills

Senate Bill No. 661, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending sections 16t and 43 of chapter XVII (MCL 777.16t and 777.43), section 16t as amended by 2004 PA 112 and section 43 as amended by 2002 PA 666.

Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Judiciary,

The substitute (H-1) was adopted, a majority of the members serving voting therefor.

Rep. Condino moved to amend the bill as follows:

1. Amend page 7, line 5, by striking out all of enacting section 1 and inserting:

“Enacting section 1. (1) Section 16b of chapter XVII of the code of criminal procedure, 1927 PA 175, MCL 777.16b, as amended by this amendatory act, takes effect January 1, 2009.

(2) Sections 16t and 43 of chapter XVII of the code of criminal procedure, 1927 PA 175, MCL 777.16t and 777.43, as amended by this amendatory act, takes effect April 1, 2009.”

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Tobocman moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.
The motion prevailed, a majority of the members serving voting therefor.

Rep. Tobocman moved that Reps. Hammon and Melton be excused temporarily from today's session.
The motion prevailed.

By unanimous consent the House returned to the order of
Third Reading of Bills

Senate Bill No. 661, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 16t and 43 of chapter XVII (MCL 777.16t and 777.43), section 16t as amended by 2004 PA 112 and section 43 as amended by 2002 PA 666.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1214

Yeas—84

Accavitti	Dillon	Lahti	Pearce
Agema	Donigan	LeBlanc	Polidori
Amos	Ebli	Leland	Proos
Angerer	Emmons	Lemmons	Robertson
Ball	Espinoza	Lindberg	Rocca
Bauer	Farrah	Marleau	Sak
Bieda	Gillard	Mayes	Schuitmaker
Booher	Gonzales	McDowell	Shaffer
Brown	Green	Meadows	Sheen
Byrnes	Griffin	Meekhof	Sheltrown
Byrum	Hammel	Meisner	Simpson
Calley	Hansen	Meltzer	Smith, Alma
Casperson	Hildenbrand	Moolenaar	Spade
Caswell	Hood	Moore	Stahl
Caul	Hopgood	Moss	Stakoe
Clack	Horn	Nitz	Valentine
Clemente	Huizenga	Nofs	Walker
Condino	Hune	Opsommer	Ward
Corriveau	Jones, Rick	Palsrok	Warren
Coulouris	Jones, Robert	Pastor	Wenke
Dean	Knollenberg	Pavlov	Young

Nays—7

Constan	Johnson	Scott	Tobocman
Jackson	Law, Kathleen	Smith, Virgil	

In The Chair: Sak

The question being on agreeing to the title of the bill,
Rep. Tobocman moved to amend the title to read as follows:

A bill to amend 1927 PA 175, entitled "An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions

of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act,” by amending sections 16b, 16t, and 43 of chapter XVII (MCL 777.16b, 777.16t, and 777.43), section 16b as amended by 2007 PA 151, section 16t as amended by 2004 PA 112, and section 43 as amended by 2002 PA 666.

The motion prevailed.

The House agreed to the title as amended.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

By unanimous consent the House returned to the order of

Messages from the Senate

House Bill No. 6194, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending section 435 (MCL 206.435), as amended by 2008 PA 162.

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1967 PA 281, entitled “An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, and enforcement by lien and otherwise of taxes on or measured by net income; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal certain acts and parts of acts,” by amending section 435 (MCL 206.435), as amended by 2008 PA 322.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the (S-1) made to the bill by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1215

Yeas—88

Accavitti	Dean	Knollenberg	Proos
Agema	Dillon	Lahti	Robertson
Amos	Ebli	Law, Kathleen	Rocca
Angerer	Emmons	LeBlanc	Sak
Ball	Espinoza	Leland	Schuitmaker
Bauer	Farrah	Lemmons	Scott
Bieda	Gillard	Lindberg	Shaffer
Booher	Gonzales	Marleau	Sheen
Brandenburg	Green	Mayes	Sheltrown
Brown	Griffin	McDowell	Simpson
Byrnes	Hammel	Meadows	Smith, Alma
Byrum	Hammon	Meekhof	Smith, Virgil

Calley	Hansen	Meisner	Spade
Casperson	Hildenbrand	Moolenaar	Stahl
Caswell	Hopgood	Moore	Stakoe
Caul	Horn	Moss	Tobocman
Clack	Huizenga	Nitz	Valentine
Clemente	Hune	Opsommer	Walker
Condino	Jackson	Palsrok	Ward
Constan	Johnson	Pastor	Warren
Corriveau	Jones, Rick	Pearce	Wenke
Coulouris	Jones, Robert	Polidori	Young

Nays—2

Meltzer Pavlov

In The Chair: Sak

The House agreed to the title as amended.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

Second Reading of Bills

Senate Bill No. 1616, entitled

A bill to amend 1939 PA 288, entitled “Probate code of 1939,” by amending section 18m of chapter XIIA (MCL 712A.18m), as amended by 2004 PA 102.

The bill was read a second time.

Rep. Schuitmaker moved to amend the bill as follows:

1. Amend page 3, line 13, after “effect” by striking out “January” and inserting “April”.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Condino moved to substitute (H-1) the bill.

The motion prevailed and the substitute (H-1) was adopted, a majority of the members serving voting therefor.

Rep. Angerer moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Angerer moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

Rep. Angerer moved that Rep. Tobocman be excused temporarily from today’s session.

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 1616, entitled

A bill to amend 1939 PA 288, entitled “Probate code of 1939,” by amending section 18m of chapter XIIA (MCL 712A.18m), as amended by 2004 PA 102.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1216**Yeas—93**

Accavitti	Donigan	Lahti	Pearce
Agema	Ebli	Law, Kathleen	Polidori
Amos	Emmons	LeBlanc	Proos
Angerer	Espinoza	Leland	Robertson
Ball	Farrah	Lemmons	Rocca
Bauer	Gillard	Lindberg	Sak
Bieda	Gonzales	Marleau	Schuitmaker
Booher	Green	Mayes	Scott
Brandenburg	Griffin	McDowell	Shaffer
Brown	Hammel	Meadows	Sheen
Byrnes	Hammon	Meekhof	Sheltrown
Byrum	Hansen	Meisner	Simpson
Calley	Hildenbrand	Melton	Smith, Alma
Casperson	Hood	Meltzer	Smith, Virgil
Caswell	Hopgood	Moolenaar	Spade
Caul	Horn	Moore	Stahl
Clack	Huizenga	Moss	Stakoe
Clemente	Hune	Nitz	Valentine
Condino	Jackson	Nofs	Walker
Constan	Johnson	Opsommer	Ward
Corriveau	Jones, Rick	Palsrok	Warren
Coulouris	Jones, Robert	Pastor	Wenke
Dean	Knollenberg	Pavlov	Young
Dillon			

Nays—0

In The Chair: Sak

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to revise and consolidate the statutes relating to certain aspects of the family division of circuit court, to the jurisdiction, powers, and duties of the family division of circuit court and its judges and other officers, to the change of name of adults and children, and to the adoption of adults and children; to prescribe certain jurisdiction, powers, and duties of the family division of circuit court and its judges and other officers; to prescribe the manner and time within which certain actions and proceedings may be brought in the family division of the circuit court; to prescribe pleading, evidence, practice, and procedure in certain actions and proceedings in the family division of circuit court; to provide for appeals from certain actions in the family division of circuit court; to prescribe the powers and duties of certain state departments, agencies, and officers; to provide for certain immunity from liability; and to provide remedies and penalties,”

The House agreed to the full title.

Rep. Angerer moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Second Reading of Bills**Senate Bill No. 1617, entitled**

A bill to create the children’s advocacy center act; to create the children’s advocacy center fund; to provide for distributions from the fund; to prescribe the powers and duties of the fund administrator; and to prescribe the powers and duties of certain state officials.

The bill was read a second time.

Rep. Schuitmaker moved to amend the bill as follows:

1. Amend page 3, line 15, after “effect” by striking out “January” and inserting “April”.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Condino moved to substitute (H-1) the bill.

The motion prevailed and the substitute (H-1) was adopted, a majority of the members serving voting therefor.

Rep. Angerer moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Angerer moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 1617, entitled

A bill to create the children’s advocacy center act; to create the children’s advocacy center fund; to provide for distributions from the fund; to prescribe the powers and duties of the fund administrator; and to prescribe the powers and duties of certain state officials.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1217

Yeas—93

Accavitti	Donigan	Lahti	Pearce
Agema	Ebli	Law, Kathleen	Polidori
Amos	Emmons	LeBlanc	Proos
Angerer	Espinoza	Leland	Robertson
Ball	Farrah	Lemmons	Rocca
Bauer	Gillard	Lindberg	Sak
Bieda	Gonzales	Marleau	Schuitmaker
Booher	Green	Mayes	Scott
Brandenburg	Griffin	McDowell	Shaffer
Brown	Hammel	Meadows	Sheen
Byrnes	Hammon	Meekhof	Sheltrown
Byrum	Hansen	Meisner	Simpson
Calley	Hildenbrand	Melton	Smith, Alma
Casperson	Hood	Meltzer	Smith, Virgil
Caswell	Hopgood	Moolenaar	Spade
Caul	Horn	Moore	Stahl
Clack	Huizenga	Moss	Stakoe
Clemente	Hune	Nitz	Valentine
Condino	Jackson	Nofs	Walker
Constan	Johnson	Opsommer	Ward
Corriveau	Jones, Rick	Palsrok	Warren
Coulouris	Jones, Robert	Pastor	Wenke
Dean	Knollenberg	Pavlov	Young
Dillon			

Nays—0

In The Chair: Sak

The House agreed to the title of the bill.

Rep. Angerer moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Second Reading of Bills

Senate Bill No. 1618, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 181 (MCL 600.181), as added by 2003 PA 97.

The bill was read a second time.

Rep. Schuitmaker moved to amend the bill as follows:

1. Amend page 5, line 2, after “effect” by striking out “January” and inserting “April”.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Condino moved to substitute (H-1) the bill.

The motion prevailed and the substitute (H-1) was adopted, a majority of the members serving voting therefor.

Rep. Angerer moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Angerer moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 1618, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 181 (MCL 600.181), as added by 2003 PA 97.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1218

Yeas—93

Accavitti	Donigan	Lahti	Pearce
Agema	Ebli	Law, Kathleen	Polidori
Amos	Emmons	LeBlanc	Proos
Angerer	Espinoza	Leland	Robertson
Ball	Farrah	Lemmons	Rocca
Bauer	Gillard	Lindberg	Sak
Bieda	Gonzales	Marleau	Schuitmaker
Booher	Green	Mayes	Scott
Brandenburg	Griffin	McDowell	Shaffer
Brown	Hammel	Meadows	Sheen
Byrnes	Hammon	Meekhof	Sheltrown
Byrum	Hansen	Meisner	Simpson
Calley	Hildenbrand	Melton	Smith, Alma
Casperson	Hood	Meltzer	Smith, Virgil
Caswell	Hopgood	Moolenaar	Spade
Caul	Horn	Moore	Stahl
Clack	Huizenga	Moss	Stakoe
Clemente	Hune	Nitz	Valentine
Condino	Jackson	Nofs	Walker
Constan	Johnson	Opsommer	Ward
Corriveau	Jones, Rick	Palsrok	Warren
Coulouris	Jones, Robert	Pastor	Wenke
Dean	Knollenberg	Pavlov	Young
Dillon			

Nays—0

In The Chair: Sak

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of such courts, and of the judges and other officers thereof; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in said courts; pleading, evidence, practice and procedure in civil and criminal actions and proceedings in said courts; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts,”

The House agreed to the full title.

Rep. Angerer moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

By unanimous consent the House returned to the order of

Messages from the Senate**House Bill No. 6172, entitled**

A bill to create an Asian Pacific American affairs commission, an office of Asian Pacific American affairs, and an interagency council on Asian Pacific American affairs; to prescribe their powers and duties; and to prescribe the powers and duties of certain agencies, departments, and officials.

The Senate has amended the bill as follows:

1. Amend page 2, line 6, after “of” by striking out “civil rights” and inserting “energy, labor, and economic growth”.
2. Amend page 2, line 12, after “of” by striking out “civil rights” and inserting “energy, labor, and economic growth”.
3. Amend page 5, line 22, after “(1)” by striking out “The” and inserting “Subject to subsection (5), the”.
4. Amend page 5, line 23, after “of” by striking out “civil rights” and inserting “energy, labor, and economic growth”.
5. Amend page 5, line 25, after the second “of” by striking out the balance of the line through “rights” on line 26 and inserting “energy, labor, and economic growth”.

6. Amend page 6, following line 7, by inserting:

“(5) Creation of the office of Asian Pacific American affairs is contingent on an appropriation being made for that purpose.”.

7. Amend page 8, line 16, after the second “of” by striking out “labor” and inserting “energy, labor,”.

The Senate has passed the bill as amended and ordered that it be given immediate effect.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the amendments made to the bill by the Senate,

The amendments were concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1219**Yeas—91**

Accavitti	Ebli	Law, Kathleen	Polidori
Amos	Emmons	LeBlanc	Proos
Angerer	Espinoza	Leland	Robertson
Ball	Farrah	Lemmons	Rocca
Bauer	Gillard	Lindberg	Sak
Bieda	Gonzales	Marleau	Schuitmaker
Booher	Green	Mayes	Scott
Brandenburg	Griffin	McDowell	Shaffer
Brown	Hammel	Meadows	Sheltrown
Byrnes	Hammon	Meekhof	Simpson
Byrum	Hansen	Meisner	Smith, Alma
Calley	Hildenbrand	Melton	Smith, Virgil
Casperson	Hood	Meltzer	Spade

Caul	Hopgood	Moolenaar	Stahl
Clack	Horn	Moore	Stakoe
Clemente	Huizenga	Moss	Tobocman
Condino	Hune	Nitz	Valentine
Constan	Jackson	Nofs	Walker
Corriveau	Johnson	Opsommer	Ward
Coulouris	Jones, Rick	Palsrok	Warren
Dean	Jones, Robert	Pastor	Wenke
Dillon	Knollenberg	Pavlov	Young
Donigan	Lahti	Pearce	

Nays—3

Agema	Caswell	Sheen
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In The Chair: Sak

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

Rep. Cushingberry entered the House Chambers.

Third Reading of Bills

The House returned to the consideration of

Senate Bill No. 861, entitled

A bill to authorize the creation of promise zones and implementation of promise zone development plans; to provide for the creation of promise zone authorities; to prescribe the powers and duties of promise zone authorities; to provide for the capture and disbursement of certain tax revenue; to prescribe powers and duties of certain state and local officials; and to repeal acts and parts of acts.

(The bill was considered earlier today, see today's Journal, p. 3261.)

The question being on the passage of the bill,

The bill was then passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1220**Yeas—58**

Accavitti	Coulouris	Jackson	Moore
Angerer	Cushingberry	Johnson	Nitz
Ball	Dean	Jones, Robert	Nofs
Bauer	Dillon	Lahti	Palsrok
Bieda	Donigan	Law, Kathleen	Polidori
Brown	Ebli	LeBlanc	Sak
Byrnes	Espinoza	Leland	Scott
Byrum	Farrah	Lemmons	Sheltrown
Calley	Gillard	Lindberg	Simpson
Casperson	Gonzales	Mayes	Spade
Clack	Griffin	McDowell	Tobocman
Clemente	Hammel	Meadows	Valentine
Condino	Hammon	Meisner	Ward

Constan
Corriveau

Hood
Hopgood

Melton

Young

Nays—30

Agema
Amos
Booher
Brandenburg
Caswell
Caul
Hansen
Hildenbrand

Hune
Jones, Rick
Knollenberg
Marleau
Meltzer
Moolenaar
Moss
Opsommer

Pastor
Pavlov
Pearce
Proos
Robertson
Rocca
Schuitmaker

Shaffer
Sheen
Smith, Alma
Stahl
Stakoe
Walker
Wenke

In The Chair: Sak

The question being on agreeing to the title of the bill,

Rep. Angerer moved to amend the title to read as follows:

A bill to authorize the creation of promise authorities and the implementation of promise zone development plans; to prescribe the powers and duties of promise zone authorities; to provide for the capture and disbursement of certain tax revenue; and to prescribe powers and duties of certain state and local officials.

The motion prevailed.

The House agreed to the title as amended.

Rep. Melton moved to reconsider the vote by which the House passed the bill.

The motion prevailed, a majority of the members serving voting therefor.

The question being on the passage of the bill,

The bill was then passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1221

Yeas—61

Accavitti
Angerer
Ball
Bauer
Bieda
Brandenburg
Brown
Byrnes
Byrum
Calley
Casperson
Clack
Clemente
Condino
Constan
Corriveau

Coulouris
Cushingberry
Dean
Dillon
Donigan
Ebli
Emmons
Espinoza
Farrah
Gillard
Gonzales
Griffin
Hammel
Hammon
Hood

Hopgood
Jackson
Johnson
Jones, Robert
Lahti
Law, Kathleen
LeBlanc
Leland
Lemmons
Lindberg
Mayes
McDowell
Meadows
Meisner
Melton

Moore
Nitz
Nofs
Palsrok
Polidori
Sak
Scott
Sheltrown
Simpson
Smith, Virgil
Spade
Tobocman
Valentine
Ward
Young

Nays—34

Agema
Amos

Huizenga
Hune

Opsommer
Pastor

Shaffer
Sheen

Booher	Jones, Rick	Pavlov	Smith, Alma
Caswell	Knollenberg	Pearce	Stahl
Caul	Marleau	Proos	Stakoe
Green	Meekhof	Robertson	Walker
Hansen	Meltzer	Rocca	Warren
Hildenbrand	Moolenaar	Schuitmaker	Wenke
Horn	Moss		

In The Chair: Sak

The question being on agreeing to the title of the bill,

Rep. Angerer moved to amend the title to read as follows:

A bill to authorize the creation of promise authorities and the implementation of promise zone development plans; to prescribe the powers and duties of promise zone authorities; to provide for the capture and disbursement of certain tax revenue; and to prescribe powers and duties of certain state and local officials.

The motion prevailed.

The House agreed to the title as amended.

Rep. Angerer moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

By unanimous consent the House returned to the order of

Messages from the Senate

House Bill No. 6025, entitled

A bill to establish the united way fund in the department of treasury; to establish the children's hospital of Michigan fund in the department of community health; to provide for the distribution of the money from those funds; to prescribe the powers and duties of certain agencies and officials; and to provide for appropriations.

The Senate has passed the bill and ordered that it be given immediate effect.

The Senate requested the return of

House Bill No. 6025, entitled

A bill to establish the united way fund in the department of treasury; to establish the children's hospital of Michigan fund in the department of community health; to provide for the distribution of the money from those funds; to prescribe the powers and duties of certain agencies and officials; and to provide for appropriations.

Rep. Angerer moved that the request of the Senate be granted.

The motion prevailed.

Second Reading of Bills

Senate Bill No. 1281, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 9f (MCL 211.9f), as amended by 2008 PA 285.

Was read a second time, and the question being on the adoption of the proposed substitute (H-3) previously recommended by the Committee on Tax Policy,

The substitute (H-3) was adopted, a majority of the members serving voting therefor.

Rep. Condino moved to amend the bill as follows:

1. Amend page 7, line 9, after "means" by striking out the balance of the subdivision and inserting "a city, village, or township that contains an eligible distressed area **OR A CITY, VILLAGE, OR TOWNSHIP THAT MEETS 1 OR MORE OF THE FOLLOWING CONDITIONS AND IS LOCATED IN A COUNTY ALL OR A PORTION OF WHICH BORDERS ANOTHER STATE OR CANADA:**

(i) **IS CURRENTLY SERVED BY NOT FEWER THAN 4 OF THE FOLLOWING EXISTING SERVICES:**

(A) **WATER.**

- (B) SEWER.
- (C) POLICE.
- (D) FIRE.
- (E) TRASH.
- (F) RECYCLING.

(ii) IS PARTY TO AN AGREEMENT UNDER 1984 PA 425, MCL 124.21 TO 124.30, WITH A CITY, VILLAGE, OR TOWNSHIP THAT PROVIDES NOT FEWER THAN 4 OF THE FOLLOWING EXISTING SERVICES:

- (A) WATER.
- (B) SEWER.
- (C) POLICE.
- (D) FIRE.
- (E) TRASH.
- (F) RECYCLING.”.

The question being on the adoption of the amendment offered by Rep. Condino,

Rep. Condino demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Rep. Condino,

The amendment was adopted, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1222

Yeas—56

Accavitti	Cushingberry	Hopgood	Opsommer
Ball	Dean	Horn	Palsrok
Bauer	Dillon	Jackson	Polidori
Bieda	Donigan	Johnson	Robertson
Brown	Ebli	Jones, Robert	Sak
Byrnes	Espinoza	Law, Kathleen	Scott
Byrum	Farrah	LeBlanc	Smith, Alma
Caul	Gillard	Leland	Smith, Virgil
Clack	Gonzales	Lemmons	Stakoe
Clemente	Griffin	Mayes	Tobocman
Condino	Hammel	Meadows	Valentine
Constan	Hammon	Meisner	Warren
Corriveau	Hansen	Melton	Wenke
Coulouris	Hood	Nofs	Young

Nays—37

Agema	Huizenga	Meltzer	Rocca
Amos	Hune	Moolenaar	Schuitmaker
Angerer	Jones, Rick	Moore	Shaffer
Booher	Knollenberg	Moss	Sheen
Brandenburg	Lahti	Nitz	Sheltrown
Calley	Lindberg	Pastor	Simpson
Casperson	Marleau	Pavlov	Spade
Emmons	McDowell	Pearce	Walker
Green	Meekhof	Proos	Ward
Hildenbrand			

In The Chair: Sak

Rep. Tobocman moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.
The motion prevailed, a majority of the members serving voting therefor.

Rep. Hansen moved that Rep. Caswell be excused from the balance of today's session.
The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 1281, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 9f (MCL 211.9f), as amended by 2008 PA 285.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1223

Yeas—68

Accavitti	Dillon	Johnson	Pavlov
Amos	Donigan	Jones, Robert	Polidori
Angerer	Ebli	Lahti	Proos
Ball	Emmons	Law, Kathleen	Robertson
Bieda	Espinoza	LeBlanc	Rocca
Byrnes	Farrah	Leland	Sak
Byrum	Gillard	Lemmons	Scott
Calley	Gonzales	Lindberg	Shaffer
Caul	Green	Mayes	Simpson
Clack	Griffin	McDowell	Smith, Alma
Clemente	Hammel	Meadows	Smith, Virgil
Condino	Hammon	Meisner	Spade
Constan	Hansen	Melton	Tobocman
Corriveau	Hildenbrand	Meltzer	Valentine
Coulouris	Hood	Nofs	Warren
Cushingberry	Hopgood	Opsommer	Wenke
Dean	Jackson	Palsrok	Young

Nays—26

Agema	Huizenga	Moore	Sheen
Bauer	Hune	Moss	Sheltrown
Booher	Jones, Rick	Nitz	Stahl
Brandenburg	Knollenberg	Pastor	Stakoe
Brown	Marleau	Pearce	Walker
Casperson	Meekhof	Schuitmaker	Ward
Horn	Moolenaar		

In The Chair: Sak

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

"An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making those taxes a lien on the property taxed,

establishing and continuing the lien, providing for the sale or forfeiture and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal acts and parts of acts,”

The House agreed to the full title.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

Rep. Tobocman moved that the Committee on Regulatory Reform be discharged from further consideration of **Senate Bill No. 1630**.

The motion prevailed, a majority of the members serving voting therefor.

The bill was placed on the order of Second Reading of Bills.

Second Reading of Bills

Senate Bill No. 1630, entitled

A bill to create and provide for the incorporation of certain regional convention facility authorities; to provide for the membership of the authorities; to provide for the powers and duties of the authorities; to provide for the conveyance of ownership of and operational jurisdiction over certain convention facilities to authorities and to provide for the transfer of certain real and personal property utilized as convention facilities to authorities; to provide for the assumption of certain contracts, bonds, notes, and other evidences of indebtedness and liabilities related to convention facilities by authorities; to authorize the creation of certain funds; to authorize expenditures from the funds; to finance the acquisition of land and the development of certain convention facilities and of public improvements or related facilities; to authorize the establishment of certain sales-tax-free zones; to provide for the issuance of bonds and notes; to authorize certain investments; to provide for the transfer of public employees to the employment of authorities; to provide for the allocation of liabilities related to employee benefits; to protect certain rights of local government employees; and to impose certain powers and duties upon state and local departments, agencies, and officers.

The bill was read a second time.

Rep. Tobocman moved to substitute (H-2) the bill.

The motion prevailed and the substitute (H-2) was adopted, a majority of the members serving voting therefor.

Rep. Tobocman moved to amend the bill as follows:

1. Amend page 3, line 21, after “10,000.” by inserting “Convention facility does not include an adjacent arena with a seating capacity exceeding 10,000.”.
2. Amend page 4, line 9, after “section” by striking out “19(1)(g)” and inserting “19(1)(f)”.
3. Amend page 7, line 26, after “of” by striking out “7” and inserting “5”.
4. Amend page 8, line 6, by striking out all of subdivision (c) and relettering the remaining subdivision.
5. Amend page 8, line 10, by striking out all of subdivision (e) and relettering the remaining subdivisions.
6. Amend page 9, line 11, after “authority” by striking out the balance of the line through “authority” on line 16.
7. Amend page 10, line 14, after “appointment” by striking out “of a majority”.
8. Amend page 10, line 20, after “board.” by inserting “All actions of the board under this act shall require the unanimous consent of all serving members of the board, excluding any members prohibited from voting on an action due to a conflict of interest under section 15.”.
9. Amend page 15, line 10, after “board.” by striking out the balance of the line through “board.” on line 12.
10. Amend page 17, line 5, after “act.” by striking out the balance of the line through “members.” on line 7.

11. Amend page 17, line 8, after the first “board” by striking out the balance of the line through “members” on line 10.
12. Amend page 19, line 10, after “operations.” by striking out the balance of the line through “members.” on line 14.
13. Amend page 24, line 16, after “authority” by striking out the balance of the line through “members”.
14. Amend page 35, line 5, after “vote” by striking out “of not less than 5 members”.
15. Amend page 41, line 12, after “require” by striking out the balance of the line through “members” on line 13 and inserting “approval of the board”.
16. Amend page 45, line 17, after “(a)” by striking out “Senate Bill No. 1631” and inserting “House Bill No. 5691”.
17. Amend page 45, following line 18, by inserting:

“(c) Senate Bill No. 880.

(d) Senate Bill No. 881.”.

The motion prevailed and the amendments were adopted, a majority of the members serving voting therefor.

Rep. Tobocman moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

Rep. Tobocman moved that Rep. Scott be excused temporarily from today’s session.
The motion prevailed.

Rep. Sak moved that Rep. Gillard be excused temporarily from today’s session.
The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 1630, entitled

A bill to create and provide for the incorporation of certain regional convention facility authorities; to provide for the membership of the authorities; to provide for the powers and duties of the authorities; to provide for the conveyance of ownership of and operational jurisdiction over certain convention facilities to authorities and to provide for the transfer of certain real and personal property utilized as convention facilities to authorities; to provide for the assumption of certain contracts, bonds, notes, and other evidences of indebtedness and liabilities related to convention facilities by authorities; to authorize the creation of certain funds; to authorize expenditures from the funds; to finance the acquisition of land and the development of certain convention facilities and of public improvements or related facilities; to authorize the establishment of certain sales-tax-free zones; to provide for the issuance of bonds and notes; to authorize certain investments; to provide for the transfer of public employees to the employment of authorities; to provide for the allocation of liabilities related to employee benefits; to protect certain rights of local government employees; and to impose certain powers and duties upon state and local departments, agencies, and officers.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1224

Yeas—57

Accavitti	Dillon	Jackson	Palsrok
Angerer	Donigan	Johnson	Pastor
Bauer	Ebli	Jones, Robert	Polidori
Bieda	Espinoza	Lahti	Sak
Brown	Farrah	Law, Kathleen	Sheltrown
Byrnes	Gonzales	LeBlanc	Simpson
Byrum	Griffin	Leland	Smith, Alma
Clack	Hammel	Lemmons	Smith, Virgil
Clemente	Hammon	Lindberg	Spade
Condino	Hildenbrand	Mayes	Tobocman

Constan
Corriveau
Coulouris
Cushingberry
Dean

Hood
Hopgood
Huizenga
Hune

McDowell
Meadows
Meisner
Melton

Valentine
Ward
Warren
Wenke

Nays—35

Agema
Amos
Ball
Booher
Brandenburg
Calley
Casperson
Caul
Emmons

Green
Hansen
Horn
Jones, Rick
Knollenberg
Marleau
Meekhof
Meltzer
Moolenaar

Moore
Moss
Nitz
Nofs
Opsommer
Pavlov
Pearce
Proos
Robertson

Rocca
Schuitmaker
Shaffer
Sheen
Stahl
Stakoe
Walker
Young

In The Chair: Sak

The question being on agreeing to the title of the bill,

Rep. Tobocman moved to amend the title to read as follows:

A bill to create and provide for the incorporation of certain regional convention facility authorities; to provide for the membership of the authorities; to provide for the powers and duties of the authorities; to provide for the conveyance of ownership of and operational jurisdiction over certain convention facilities to authorities and to provide for the transfer of certain real and personal property utilized as convention facilities to authorities; to provide for the assumption of certain contracts, bonds, notes, and other evidences of indebtedness and liabilities related to convention facilities by authorities; to authorize the creation of certain funds; to authorize expenditures from certain funds; to finance the acquisition of land and the development of certain convention facilities and of public improvements or related facilities; to provide for the issuance of bonds and notes; to authorize certain investments; to provide for the transfer of public employees to the employment of authorities; to provide for the allocation of liabilities related to employee benefits; to protect certain rights of local government employees; and to impose certain powers and duties upon state and local departments, agencies, and officers.

The motion prevailed.

The House agreed to the title as amended.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Rep. Young, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I am against this bill because it take jobs and contracts away from the city of Detroit by not allowing Detroiters to have enough of a stake in Cobo Hall. In a time when people are losing their jobs, houses, pensions, and healthcare for themselves and their families we as the state of Michigan can ill afford to take jobs and opportunities away from anyone. In the city of Detroit the unemployment rate is 16% we need to be putting Detroiters back to work not taking jobs away from them. This is an outright taking of an asset of the city of Detroit and I will not stand for it.

‘Democracy is not a just a form government it is a set of principles.’

If our democracy is to survive men and women must stand on principle and I stand on the principle of jobs and economic justice for all.”

By unanimous consent the House returned to the order of
Motions and Resolutions

Rep. Tobocman moved that Rule 42 be suspended.
 The motion prevailed, 3/5 of the members present voting therefor.

Rep. Tobocman moved that the Committee on Regulatory Reform be discharged from further consideration of **Senate Bill No. 1633**.

The motion prevailed, a majority of the members serving voting therefor.
 The bill was placed on the order of Second Reading of Bills.

Second Reading of Bills

Senate Bill No. 1633, entitled

A bill to amend 1987 PA 264, entitled "Health and safety fund act," by amending sections 3 and 5 (MCL 141.473 and 141.475), as amended by 1998 PA 529.

The bill was read a second time.

Rep. Tobocman moved that the bill be placed on the order of Third Reading of Bills.
 The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.
 The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of
Third Reading of Bills

Senate Bill No. 1633, entitled

A bill to amend 1987 PA 264, entitled "Health and safety fund act," by amending sections 3 and 5 (MCL 141.473 and 141.475), as amended by 1998 PA 529.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1225

Yeas—59

Accavitti	Dillon	Jackson	Pastor
Angerer	Donigan	Johnson	Polidori
Bauer	Ebli	Jones, Robert	Sak
Bieda	Espinoza	Lahti	Sheltrown
Brown	Farrah	Law, Kathleen	Simpson
Byrnes	Gillard	LeBlanc	Smith, Alma
Byrum	Gonzales	Leland	Smith, Virgil
Clack	Griffin	Lemmons	Spade
Clemente	Hammel	Lindberg	Tobocman
Condino	Hammon	Mayes	Valentine
Constan	Hildenbrand	McDowell	Ward
Corriveau	Hood	Meadows	Warren
Coulouris	Hopgood	Meisner	Wenke
Cushingberry	Huizenga	Melton	Young
Dean	Hune	Palsrok	

Nays—34

Agema	Green	Moore	Robertson
Amos	Hansen	Moss	Rocca
Ball	Horn	Nitz	Schuitmaker

Booher	Jones, Rick	Nofs	Shaffer
Brandenburg	Knollenberg	Opsommer	Sheen
Calley	Marleau	Pavlov	Stahl
Casperson	Meekhof	Pearce	Stakoe
Caul	Meltzer	Proos	Walker
Emmons	Moolenaar		

In The Chair: Sak

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to provide for the creation of the health and safety fund; to provide for the deposit of certain money in that fund; to provide for the distribution of the money in that fund and to limit its use; to prescribe the powers and duties of certain state officials; and to provide for an appropriation,”

The House agreed to the full title.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

By unanimous consent the House returned to the order of

Messages from the Senate

The Speaker laid before the House

Senate Bill No. 1038, entitled

A bill to amend 2007 PA 36, entitled “Michigan business tax act,” by amending section 111 (MCL 208.1111), as amended by 2007 PA 207.

(The bill was received from the Senate on October 15, with substitute (S-5) to the House substitute (H-11) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until October 29, see House Journal No. 81, p. 2475.)

The question being on concurring in the substitute (S-5) to the House substitute (H-11) made to the bill by the Senate,

Rep. Bieda moved to substitute (H-13) the Senate substitute (S-5) to the House substitute (H-11).

The motion prevailed and the substitute (H-13) was adopted, a majority of the members serving voting therefor.

The question being on concurring in the substitute (S-5) to the House substitute (H-11) made to the bill by the Senate,

Rep. Angerer moved to amend the Senate substitute (S-5) to the House substitute (H-11), as substituted (H-13), as follows:

1. Amend page 15, line 20, by striking out all of enacting section 2 and inserting:

“Enacting section 2. This amendatory act does not take effect unless all of the following bills of the 94th Legislature are enacted into law:

(a) House Bill No. 4257.

(b) Senate Bill No. 1052.”.

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

The question being on concurring in the substitute (S-5) to the House substitute (H-11) made to the bill by the Senate,

Rep. Angerer moved to amend the Senate substitute (S-5) to the House substitute (H-11), as substituted (H-13), as follows:

1. Amend page 12, following line 11, by inserting:

“(viii) AN EXCISE TAX COLLECTED PURSUANT TO THE AIRPORT PARKING TAX ACT, 1987 PA 248, MCL 207.371 TO 207.383, COLLECTED FROM OR REIMBURSED BY A CONSUMER AND REMITTED AS PROVIDED IN THE AIRPORT PARKING TAX ACT, 1987 PA 248, MCL 207.371 TO 207.383, PHASED IN OVER A 5-YEAR PERIOD STARTING WITH 50% OF THAT AMOUNT IN THE 2008 TAX YEAR, 60% IN THE 2009 TAX YEAR, 60% IN THE 2010 TAX YEAR, 75% IN THE 2011 TAX YEAR, AND 100% IN THE 2012 TAX YEAR AND EACH TAX YEAR THEREAFTER.”.

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

The question being on concurring in the substitute (S-5) to the House substitute (H-11) made to the bill by the Senate,

The substitute (S-5), as substituted (H-13), was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1226**Yeas—93**

Accavitti	Donigan	Lahti	Pearce
Agema	Ebli	Law, Kathleen	Polidori
Amos	Emmons	LeBlanc	Proos
Angerer	Espinoza	Leland	Robertson
Ball	Farrah	Lemmons	Rocca
Bauer	Gillard	Lindberg	Sak
Bieda	Gonzales	Marleau	Schuitmaker
Booher	Green	Mayes	Shaffer
Brandenburg	Griffin	McDowell	Sheen
Brown	Hammel	Meadows	Sheltrown
Byrnes	Hammon	Meekhof	Simpson
Byrum	Hansen	Meisner	Smith, Alma
Calley	Hildenbrand	Melton	Smith, Virgil
Casperson	Hood	Meltzer	Spade
Caul	Hopgood	Moolenaar	Stahl
Clack	Horn	Moore	Stakoe
Clemente	Huizenga	Moss	Tobocman
Condino	Hune	Nitz	Valentine
Constan	Jackson	Nofs	Walker
Corriveau	Johnson	Opsommer	Ward
Coulouris	Jones, Rick	Palsrok	Warren
Cushingberry	Jones, Robert	Pastor	Wenke
Dean	Knollenberg	Pavlov	Young
Dillon			

Nays—0

In The Chair: Sak

Rep. Tobocman moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.

Second Reading of Bills**Senate Bill No. 880, entitled**

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 4p (MCL 205.94p), as added by 1999 PA 117.
The bill was read a second time.

Rep. Tobocman moved to substitute (H-1) the bill.

The motion prevailed and the substitute (H-1) was adopted, a majority of the members serving voting therefor.

Rep. Tobocman moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

Third Reading of Bills**Senate Bill No. 880, entitled**

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 4p (MCL 205.94p), as added by 1999 PA 117.
Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1227**Yeas—69**

Accavitti	Dillon	Jackson	Nofs
Angerer	Donigan	Johnson	Palsrok
Bauer	Ebli	Jones, Rick	Pastor
Bieda	Espinoza	Jones, Robert	Polidori
Booher	Farrah	Lahti	Sak
Brown	Gillard	Law, Kathleen	Sheltrown
Byrnes	Gonzales	LeBlanc	Simpson
Byrum	Griffin	Leland	Smith, Alma
Casperson	Hammel	Lemmons	Smith, Virgil
Caul	Hammon	Lindberg	Spade
Clack	Hansen	Mayes	Stakoe
Clemente	Hildenbrand	McDowell	Tobocman
Condino	Hood	Meadows	Valentine
Constan	Hopgood	Meisner	Ward
Corriveau	Horn	Melton	Warren
Coulouris	Huizenga	Moolenaar	Wenke
Cushingberry	Hune	Moore	Young
Dean			

Nays—23

Agema	Green	Nitz	Rocca
Amos	Knollenberg	Opsommer	Shaffer
Ball	Marleau	Pavlov	Sheen
Brandenburg	Meekhof	Pearce	Stahl
Calley	Meltzer	Proos	Walker
Emmons	Moss	Robertson	

In The Chair: Sak

The question being on agreeing to the title of the bill,

Rep. Tobocman moved to amend the title to read as follows:

A bill to amend 1937 PA 94, entitled “An act to provide for the levy, assessment, and collection of a specific excise tax on the storage, use, or consumption in this state of tangible personal property and certain services; to appropriate the proceeds of that tax; to prescribe penalties; and to make appropriations,” by amending section 4p (MCL 205.94p), as added by 1999 PA 117, and by adding section 4z.

The motion prevailed.

The House agreed to the title as amended.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Second Reading of Bills**Senate Bill No. 881, entitled**

A bill to amend 1933 PA 167, entitled “General sales tax act,” by amending section 4u (MCL 205.54u), as amended by 2004 PA 173.

The bill was read a second time.

Rep. Valentine moved to substitute (H-1) the bill.

The motion prevailed and the substitute (H-1) was adopted, a majority of the members serving voting therefor.

Rep. Tobocman moved to substitute (H-2) the bill.

The motion prevailed and the substitute (H-2) was adopted, a majority of the members serving voting therefor.

Rep. Tobocman moved to amend the bill as follows:

1. Amend page 6, following line 11, by inserting:

“Sec. 6a. (1) At the time of purchase or shipment from a refiner, pipeline terminal operator, or marine terminal operator, a purchaser or receiver of gasoline shall prepay a portion of the tax imposed by this act at the rate provided in this section to the refiner, pipeline terminal operator, or marine terminal operator for the purchase or receipt of gasoline. If the purchase or receipt of gasoline is made outside this state for shipment into and subsequent sale within this state, the purchaser or receiver, other than a refiner, pipeline terminal operator, or marine terminal operator, shall make the prepayment required by this section directly to the department. Prepayments shall be made at a cents per gallon rate determined by the department and shall be based on 6% of the statewide average retail price of a gallon of self-serve unleaded regular gasoline as determined and certified by the department rounded up to the nearest 1/10 of 1 cent. A person who makes prepayments ~~direct~~ **DIRECTLY** to the department shall make those prepayments according to the schedule in subsection (5)-(4).

(2) The rate of prepayment applied pursuant to subsection (1) shall be determined every ~~6-3~~ months by the department unless the department certifies that the change in the statewide average retail price of a gallon of self-serve unleaded regular gasoline has been less than 10% ~~during the 6-month period. However, the rate shall be determined not less than annually~~ **SINCE THE ESTABLISHMENT OF THE RATE OF PREPAYMENT THEN IN EFFECT.**

(3) A person subject to tax under this act who makes prepayment to another person as required by this section may claim an estimated prepayment credit on its regular monthly return filed pursuant to section 6. The credit shall be for prepayments made during the month for which the return is required and shall be based upon the difference between prepayments made in the immediately preceding month and collections of prepaid tax received from sales or transfers. A sale or transfer for which collection of prepaid tax is due the taxpayer is subject to a bad debt deduction under section 4i, whether or not the sale or transfer is a sale at retail. The credit shall not be reduced because of actual shrinkage. A taxpayer who does not, in the ordinary course of business sell gasoline in each month of the year, may, with the approval of the department, base the initial prepayment deduction in each tax year on prepayments made in a month other than the immediately preceding month. ~~Estimated prepayment credits claimed with the return due in January 1984 shall be based on the taxpayer's retail sales of gasoline in December 1983.~~ The difference in actual prepayments shall be reconciled on the annual return in accordance with procedures prescribed by the department.

~~—(4) At the option of the taxpayer the estimated prepayment credit may be claimed on the return required to be filed under Act No. 150 of the Public Acts of 1927, being sections 207.101 to 207.202 of the Michigan Compiled Laws, instead of a claim for the credit on the return required to be filed under section 6. Prepayments claimed on the motor fuel tax return shall be based on the difference in the prepayments made in the immediately preceding month and collections of prepaid tax received from sales or transfer and shall be for prepayments made in the month in which the return is due. A taxpayer electing an option under this subsection shall be entitled to a deduction under section 4i as permitted by subsection (3). Amounts credited pursuant to this section shall not be deducted from amounts required to be credited to the Michigan transportation fund pursuant to section 18b of Act No. 150 of the Public Acts of 1927, being section 207.118b of the Michigan Compiled Laws. The department may establish procedures for the election of claims under subsection (3) and this subsection to avoid duplication of claims.~~

~~(4) (5)~~ Notwithstanding the other provisions for the payment and remitting of tax due under this act, a refiner, pipeline terminal operator, or marine terminal operator shall account for and remit to the department the prepayments received pursuant to this section in accordance with the following schedule:

(a) On or before the twenty-fifth of each month, prepayments received after the end of the preceding month and before the sixteenth of the month in which the prepayments are made.

(b) On or before the tenth of each month, payments received after the fifteenth and before the end of the preceding month.

~~(5) (6)~~ A refiner, pipeline terminal operator, or marine terminal operator who fails to remit prepayments made by a purchaser or receiver of gasoline is subject to the penalties provided by ~~Act No. 122 of the Public Acts of 1941, being sections 205.1 to 205.31 of the Michigan Compiled Laws~~ **1941 PA 122, MCL 205.1 TO 205.31.**

~~(6) (7)~~ The refiner, pipeline terminal operator, or marine terminal operator shall not receive a deduction under section 4 for receiving and remitting prepayments from a purchaser or receiver pursuant to this section.

~~(7) (8)~~ The purchaser or receiver of gasoline who makes prepayments is not subject to further liability for the amount of the prepayment if the refiner, pipeline terminal operator, or marine terminal operator fails to remit the prepayment.

~~(8) (9)~~ As used in this section:

(a) “Marine terminal operator” means a person who stores gasoline at a boat terminal transfer defined as a dock, a tank, or equipment contiguous to a dock or a tank, including equipment used in the unloading of gasoline from a ship and in transferring the gasoline to a tank pending wholesale bulk reshipment.

(b) “Pipeline terminal operator” means a person who stores gasoline in tanks and equipment used in receiving and storing gasoline from interstate and intrastate pipelines pending wholesale bulk reshipment.

(c) “Purchase” or “shipment” does not include an exchange of gasoline, or an exchange transaction, between refiners, pipeline terminal operators, or marine terminal operators.

(d) “Refiner” means a person who manufactures or produces gasoline by any process involving substantially more than the blending of gasoline.”.

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Tobocman moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 881, entitled

A bill to amend 1933 PA 167, entitled “General sales tax act,” by amending section 4u (MCL 205.54u), as amended by 2004 PA 173.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1228

Yeas—71

Accavitti	Dean	Jackson	Palsrok
Agema	Dillon	Johnson	Pastor
Angerer	Donigan	Jones, Rick	Polidori
Bauer	Ebli	Jones, Robert	Sak
Bieda	Espinoza	Lahti	Sheltrown
Booher	Farrah	Law, Kathleen	Simpson
Brown	Gillard	LeBlanc	Smith, Alma
Byrnes	Gonzales	Leland	Smith, Virgil
Byrum	Griffin	Lemmons	Spade
Casperson	Hammel	Lindberg	Stakoe
Caul	Hammon	Mayes	Tobocman
Clack	Hansen	McDowell	Valentine
Clemente	Hildenbrand	Meadows	Walker
Condino	Hood	Meisner	Ward
Constan	Hopgood	Melton	Warren
Corriveau	Horn	Moolenaar	Wenke
Coulouris	Huizenga	Moore	Young
Cushingberry	Hune	Nofs	

Nays—22

Amos	Knollenberg	Opsommer	Rocca
Ball	Marleau	Pavlov	Schuitmaker
Brandenburg	Meekhof	Pearce	Shaffer
Calley	Meltzer	Proos	Sheen
Emmons	Moss	Robertson	Stahl
Green	Nitz		

In The Chair: Sak

The question being on agreeing to the title of the bill,

Rep. Tobocman moved to amend the title to read as follows:

A bill to amend 1933 PA 167, entitled "An act to provide for the raising of additional public revenue by prescribing certain specific taxes, fees, and charges to be paid to the state for the privilege of engaging in certain business activities; to provide, incident to the enforcement thereof, for the issuance of licenses to engage in such occupations; to provide for the ascertainment, assessment and collection thereof; to appropriate the proceeds thereof; and to prescribe penalties for violations of the provisions of this act," by amending sections 4d, 4u, and 6a (MCL 205.54d, 205.54u, and 205.6a), section 4d as added and section 4u as amended by 2004 PA 173 and section 6a as amended by 1993 PA 325.

The motion prevailed.

The House agreed to the title as amended.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Second Reading of Bills

Senate Bill No. 1039, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 641.

The bill was read a second time.

Rep. Tobocman moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Senate Bill No. 1353, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 435 (MCL 206.435), as amended by 2008 PA 162.

(The bill was read a second time, substitute (H-1) offered and bill postponed temporarily on December 18, see House Journal No. 94, p. 3174.)

The question being on the adoption of the substitute (H-1) offered previously by Rep. Vagnozzi,

The substitute (H-1) was adopted, a majority of the members serving voting therefor.

Rep. Mayes moved to substitute (H-2) the bill.

The motion prevailed and the substitute (H-2) was adopted, a majority of the members serving voting therefor.

Rep. Tobocman moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

Rep. Tobocman moved that Rep. Meisner be excused temporarily from today's session.

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 1353, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 435 (MCL 206.435), as amended by 2008 PA 162.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1229

Yeas—92

Accavitti
Agema

Dillon
Donigan

Knollenberg
Lahti

Pearce
Polidori

Amos	Ebli	Law, Kathleen	Proos
Angerer	Emmons	LeBlanc	Robertson
Ball	Espinoza	Leland	Rocca
Bauer	Farrah	Lemmons	Sak
Bieda	Gillard	Lindberg	Schuitmaker
Booher	Gonzales	Marleau	Shaffer
Brandenburg	Green	Mayes	Sheen
Brown	Griffin	McDowell	Sheltrown
Byrnes	Hammel	Meadows	Simpson
Byrum	Hammon	Meekhof	Smith, Alma
Calley	Hansen	Melton	Smith, Virgil
Casperson	Hildenbrand	Meltzer	Spade
Caul	Hood	Moolenaar	Stahl
Clack	Hopgood	Moore	Stakoe
Clemente	Horn	Moss	Tobocman
Condino	Huizenga	Nitz	Valentine
Constan	Hune	Nofs	Walker
Corriveau	Jackson	Opsommer	Ward
Coulouris	Johnson	Palsrok	Warren
Cushingberry	Jones, Rick	Pastor	Wenke
Dean	Jones, Robert	Pavlov	Young

Nays—0

In The Chair: Sak

The question being on agreeing to the title of the bill,

Rep. Tobocman moved to amend the title to read as follows:

A bill to amend 1967 PA 281, entitled “An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, and enforcement by lien and otherwise of taxes on or measured by net income; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal certain acts and parts of acts,” by amending section 435 (MCL 206.435), as amended by 2008 PA 322.

The motion prevailed.

The House agreed to the title as amended.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Second Reading of Bills

Senate Bill No. 1374, entitled

A bill to amend 2001 PA 63, entitled “History, arts, and libraries act,” by amending the title and section 2 (MCL 399.702), section 2 as amended by 2008 PA 85, and by adding section 9.

The bill was read a second time.

Rep. Tobocman moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 1374, entitled

A bill to amend 2001 PA 63, entitled “History, arts, and libraries act,” by amending the title and section 2 (MCL 399.702), section 2 as amended by 2008 PA 85, and by adding section 9.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1230

Yeas—93

Accavitti	Donigan	Lahti	Pearce
Agema	Ebli	Law, Kathleen	Polidori
Amos	Emmons	LeBlanc	Proos
Angerer	Espinoza	Leland	Robertson
Ball	Farrah	Lemmons	Rocca
Bauer	Gillard	Lindberg	Sak
Bieda	Gonzales	Marleau	Schuitmaker
Booher	Green	Mayes	Shaffer
Brandenburg	Griffin	McDowell	Sheen
Brown	Hammel	Meadows	Sheltrown
Byrnes	Hammon	Meekhof	Simpson
Byrum	Hansen	Meisner	Smith, Alma
Calley	Hildenbrand	Melton	Smith, Virgil
Casperson	Hood	Meltzer	Spade
Caul	Hopgood	Moolenaar	Stahl
Clack	Horn	Moore	Stakoe
Clemente	Huizenga	Moss	Tobocman
Condino	Hune	Nitz	Valentine
Constan	Jackson	Nofs	Walker
Corriveau	Johnson	Opsommer	Ward
Coulouris	Jones, Rick	Palsrok	Warren
Cushingberry	Jones, Robert	Pastor	Wenke
Dean	Knollenberg	Pavlov	Young
Dillon			

Nays—0

In The Chair: Sak

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to create a department of history, arts, and libraries; to provide for its administration; and to provide for its powers, duties, functions, and responsibilities,”

The House agreed to the full title.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Second Reading of Bills

Senate Bill No. 1052, entitled

A bill to amend 2007 PA 36, entitled “Michigan business tax act,” by amending section 109 (MCL 208.1109).

The bill was read a second time.

Rep. Cushingberry moved to substitute (H-1) the bill.

The motion prevailed and the substitute (H-1) was adopted, a majority of the members serving voting therefor.

Rep. Tobocman moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 1052, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 109 (MCL 208.1109).

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1231

Yeas—61

Accavitti	Dillon	Jackson	Palsrok
Angerer	Donigan	Johnson	Polidori
Bauer	Ebli	Jones, Robert	Sak
Bieda	Espinoza	Lahti	Sheltrown
Brown	Farrah	Law, Kathleen	Simpson
Byrnes	Gillard	LeBlanc	Smith, Alma
Byrum	Gonzales	Leland	Smith, Virgil
Calley	Griffin	Lemmons	Spade
Clack	Hammel	Lindberg	Stakoe
Clemente	Hammon	Mayes	Tobocman
Condino	Hansen	McDowell	Valentine
Constan	Hildenbrand	Meadows	Ward
Corriveau	Hood	Meisner	Warren
Coulouris	Hopgood	Melton	Wenke
Cushingberry	Horn	Nofs	Young
Dean			

Nays—32

Agema	Green	Moolenaar	Proos
Amos	Huizenga	Moore	Robertson
Ball	Hune	Moss	Rocca
Booher	Jones, Rick	Nitz	Schuitmaker
Brandenburg	Knollenberg	Opsommer	Shaffer
Casperson	Marleau	Pastor	Sheen
Caul	Meekhof	Pavlov	Stahl
Emmons	Meltzer	Pearce	Walker

In The Chair: Sak

The question being on agreeing to the title of the bill,

Rep. Tobocman moved to amend the title to read as follows:

A bill to amend 2007 PA 36, entitled "An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, reporting, payment, and enforcement of taxes on certain commercial, business, and financial activities; to prescribe the powers and duties of public officers and state departments; to provide for the inspection of certain taxpayer records; to provide for interest and penalties; to provide exemptions, credits, and refunds; to provide

for the disposition of funds; to provide for the interrelation of this act with other acts; and to make appropriations,” by amending sections 109 and 403 (MCL 208.1109 and 208.1403), section 403 as amended by 2007 PA 145, and by adding section 461.

The motion prevailed.

The House agreed to the title as amended.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Second Reading of Bills

Senate Bill No. 786, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 8401 (MCL 600.8401), as amended by 1999 PA 27.

Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Judiciary,

The substitute (H-1) was adopted, a majority of the members serving voting therefor.

Rep. Sak moved to amend the bill as follows:

1. Amend page 1, line 7, after “**JULY 1,**” by striking out the balance of the subdivision and inserting “**2009, \$4,000.00.**”.

2. Amend page 1, line 8, after “**JULY 1,**” by striking out the balance of the subdivision and inserting “**2013, \$4,400.00.**”.

3. Amend page 1, line 9, after “**JULY 1,**” by striking out the balance of the subdivision and inserting “**2017, \$4,800.00.**”.

The motion prevailed and the amendments were adopted, a majority of the members serving voting therefor.

Rep. Condino moved to amend the bill as follows:

1. Amend page 1, line 7, after “**JULY 1,**” by striking out the balance of the subdivision and inserting “**2009, \$4,000.00.**”.

2. Amend page 1, line 8, after “**JULY 1,**” by striking out the balance of the subdivision and inserting “**2010, \$4,500.00.**”.

3. Amend page 1, line 9, after “**JULY 1,**” by striking out the balance of the subdivision and inserting “**2011, \$5,000.00.**”.

4. Amend page 2, line 1, by striking out “2008” and inserting “2009”.

The motion prevailed and the amendments were adopted, a majority of the members serving voting therefor.

Rep. Tobocman moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

Rep. Tobocman moved that Reps. Hopgood and Angerer be excused temporarily from today’s session.

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 786, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 8401 (MCL 600.8401), as amended by 1999 PA 27.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1232**Yeas—91**

Accavitti	Donigan	Law, Kathleen	Polidori
Agema	Ebli	LeBlanc	Proos
Amos	Emmons	Leland	Robertson
Ball	Espinoza	Lemmons	Rocca
Bauer	Farrah	Lindberg	Sak
Bieda	Gillard	Marleau	Schuitmaker
Booher	Gonzales	Mayes	Shaffer
Brandenburg	Green	McDowell	Sheen
Brown	Griffin	Meadows	Sheltrown
Byrnes	Hammel	Meekhof	Simpson
Byrum	Hammon	Meisner	Smith, Alma
Calley	Hansen	Melton	Smith, Virgil
Casperson	Hildenbrand	Meltzer	Spade
Caul	Hood	Moolenaar	Stahl
Clack	Horn	Moore	Stakoe
Clemente	Huizenga	Moss	Tobocman
Condino	Hune	Nitz	Valentine
Constan	Jackson	Nofs	Walker
Corriveau	Johnson	Opsommer	Ward
Coulouris	Jones, Rick	Palsrok	Warren
Cushingberry	Jones, Robert	Pastor	Wenke
Dean	Knollenberg	Pavlov	Young
Dillon	Lahti	Pearce	

Nays—0

In The Chair: Sak

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making those taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale or forfeiture and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal acts and parts of acts,”

The House agreed to the full title.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Rep. Tobocman moved that Reps. Bieda and Mayes be excused temporarily from today's session.
The motion prevailed.

By unanimous consent the House returned to the order of
Messages from the Senate

House Bill No. 4054, entitled

A bill to amend 1980 PA 299, entitled “Occupational code,” by amending section 2635 (MCL 339.2635), as amended by 2006 PA 414.

The Senate has amended the bill as follows:

1. Amend page 2, line 20, after “**WORK.**” by inserting “**AS USED IN THIS SUBPARAGRAPH, “SETTING PRECONDITIONS ON THE OUTCOME OF AN APPRAISAL” DOES NOT INCLUDE THE COMMUNICATION OF INFORMATION, INCLUDING DOCUMENTS RELATED TO THE PROPERTY BEING APPRAISED, NECESSARY TO IDENTIFY THE VALUATION PROBLEM TO BE SOLVED AND THE SCOPE OF WORK NECESSARY TO DETERMINE CREDIBLE ASSIGNMENT RESULTS.**”.

The Senate has passed the bill as amended, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the amendment made to the bill by the Senate,

The amendment was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1233

Yeas—90

Accavitti	Ebli	Law, Kathleen	Polidori
Agema	Emmons	LeBlanc	Proos
Amos	Espinoza	Leland	Robertson
Angerer	Farrah	Lemmons	Rocca
Bauer	Gillard	Lindberg	Sak
Booher	Gonzales	Marleau	Schuitmaker
Brandenburg	Green	McDowell	Shaffer
Brown	Griffin	Meadows	Sheen
Byrnes	Hammel	Meekhof	Sheltrown
Byrum	Hammon	Meisner	Simpson
Calley	Hansen	Melton	Smith, Alma
Casperson	Hildenbrand	Meltzer	Smith, Virgil
Caul	Hood	Moolenaar	Spade
Clack	Hopgood	Moore	Stahl
Clemente	Horn	Moss	Stakoe
Condino	Huizenga	Nitz	Tobocman
Constan	Hune	Nofs	Valentine
Corriveau	Jackson	Opsommer	Walker
Coulouris	Johnson	Palsrok	Ward
Cushingberry	Jones, Rick	Pastor	Warren
Dean	Jones, Robert	Pavlov	Wenke
Dillon	Knollenberg	Pearce	Young
Donigan	Lahti		

Nays—0

In The Chair: Sak

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

House Bill No. 5054, entitled

A bill to create the sexual assault victims’ medical forensic intervention and treatment fund; to provide for assessments against certain criminal defendants and certain juvenile offenders; to provide for expenditures from the fund; to provide for establishment of and funding for medical forensic intervention and treatment programs for victims of criminal sexual conduct; and to prescribe the powers and duties of certain state and local governmental officers and agencies.

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1) and ordered that it be given immediate effect.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the (S-1) made to the bill by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1234

Yeas—92

Accavitti	Donigan	Lahti	Pearce
Agema	Ebli	Law, Kathleen	Polidori
Amos	Emmons	LeBlanc	Proos
Angerer	Espinoza	Leland	Robertson
Ball	Farrah	Lemmons	Rocca
Bauer	Gillard	Lindberg	Sak
Booher	Gonzales	Marleau	Schuitmaker
Brandenburg	Green	Mayes	Shaffer
Brown	Griffin	McDowell	Sheen
Byrnes	Hammel	Meadows	Sheltrown
Byrum	Hammon	Meekhof	Simpson
Calley	Hansen	Meisner	Smith, Alma
Casperson	Hildenbrand	Melton	Smith, Virgil
Caul	Hood	Meltzer	Spade
Clack	Hopgood	Moolenaar	Stahl
Clemente	Horn	Moore	Stakoe
Condino	Huizenga	Moss	Tobocman
Constan	Hune	Nitz	Valentine
Corriveau	Jackson	Nofs	Walker
Coulouris	Johnson	Opsommer	Ward
Cushingberry	Jones, Rick	Palsrok	Warren
Dean	Jones, Robert	Pastor	Wenke
Dillon	Knollenberg	Pavlov	Young

Nays—0

In The Chair: Sak

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

House Bill No. 5055, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 1j of chapter IX (MCL 769.1j), as added by 2003 PA 70.

The Senate has substituted (S-2) the bill.

The Senate has passed the bill as substituted (S-2), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the (S-2) made to the bill by the Senate,

The substitute (S-2) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1235**Yeas—93**

Accavitti	Donigan	Lahti	Pearce
Agema	Ebli	Law, Kathleen	Polidori
Amos	Emmons	LeBlanc	Proos
Angerer	Espinoza	Leland	Robertson
Ball	Farrah	Lemmons	Rocca
Bauer	Gillard	Lindberg	Sak
Bieda	Gonzales	Marleau	Schuitmaker
Booher	Green	Mayes	Shaffer
Brandenburg	Griffin	McDowell	Sheen
Brown	Hammel	Meadows	Sheltrown
Byrnes	Hammon	Meekhof	Simpson
Byrum	Hansen	Meisner	Smith, Alma
Calley	Hildenbrand	Melton	Smith, Virgil
Casperson	Hood	Meltzer	Spade
Caul	Hopgood	Moolenaar	Stahl
Clack	Horn	Moore	Stakoe
Clemente	Huizenga	Moss	Tobocman
Condino	Hune	Nitz	Valentine
Constan	Jackson	Nofs	Walker
Corriveau	Johnson	Opsommer	Ward
Coulouris	Jones, Rick	Palsrok	Warren
Cushingberry	Jones, Robert	Pastor	Wenke
Dean	Knollenberg	Pavlov	Young
Dillon			

Nays—0

In The Chair: Sak

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

House Bill No. 5977, entitled

A bill to amend 1995 PA 24, entitled “Michigan economic growth authority act,” by amending section 6 (MCL 207.806), as amended by 2007 PA 150.

The Senate has substituted (S-2) the bill.

The Senate has passed the bill as substituted (S-2), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1995 PA 24, entitled “An act to promote economic growth and job creation within this state; to create and regulate the Michigan economic growth authority; to prescribe the powers and duties of the authority and of state and local officials; to assess and collect a fee; to approve certain plans and the use of certain funds; and to provide qualifications for and determine eligibility for tax credits and other incentives for authorized businesses and for qualified taxpayers,” by amending section 6 (MCL 207.806), as amended by 2008 PA 262.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the (S-2) made to the bill by the Senate,

The substitute (S-2) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1236**Yeas—93**

Accavitti	Donigan	Lahti	Pearce
Agema	Ebli	Law, Kathleen	Polidori
Amos	Emmons	LeBlanc	Proos
Angerer	Espinoza	Leland	Robertson
Ball	Farrah	Lemmons	Rocca
Bauer	Gillard	Lindberg	Sak
Bieda	Gonzales	Marleau	Schuitmaker
Booher	Green	Mayes	Shaffer
Brandenburg	Griffin	McDowell	Sheen
Brown	Hammel	Meadows	Sheltrown
Byrnes	Hammon	Meekhof	Simpson
Byrum	Hansen	Meisner	Smith, Alma
Calley	Hildenbrand	Melton	Smith, Virgil
Casperson	Hood	Meltzer	Spade
Caul	Hopgood	Moolenaar	Stahl
Clack	Horn	Moore	Stakoe
Clemente	Huizenga	Moss	Tobocman
Condino	Hune	Nitz	Valentine
Constan	Jackson	Nofs	Walker
Corriveau	Johnson	Opsommer	Ward
Coulouris	Jones, Rick	Palsrok	Warren
Cushingberry	Jones, Robert	Pastor	Wenke
Dean	Knollenberg	Pavlov	Young
Dillon			

Nays—0

In The Chair: Sak

The House agreed to the title as amended.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

House Bill No. 6633, entitled

A bill to amend 1975 PA 169, entitled “Charitable organizations and solicitations act,” by amending section 3 (MCL 400.273).

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the (S-1) made to the bill by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1237**Yeas—92**

Accavitti	Dillon	Lahti	Pearce
Agema	Donigan	Law, Kathleen	Polidori
Amos	Ebli	LeBlanc	Proos

Angerer	Emmons	Leland	Robertson
Ball	Espinoza	Lemmons	Rocca
Bauer	Farrah	Lindberg	Sak
Bieda	Gillard	Marleau	Schuitmaker
Booher	Gonzales	Mayes	Shaffer
Brandenburg	Griffin	McDowell	Sheen
Brown	Hammel	Meadows	Sheltrown
Byrnes	Hammon	Meekhof	Simpson
Byrum	Hansen	Meisner	Smith, Alma
Calley	Hildenbrand	Melton	Smith, Virgil
Casperson	Hood	Meltzer	Spade
Caul	Hopgood	Moolenaar	Stahl
Clack	Horn	Moore	Stakoe
Clemente	Huizenga	Moss	Tobocman
Condino	Hune	Nitz	Valentine
Constan	Jackson	Nofs	Walker
Corriveau	Johnson	Opsommer	Ward
Coulouris	Jones, Rick	Palsrok	Warren
Cushingberry	Jones, Robert	Pastor	Wenke
Dean	Knollenberg	Pavlov	Young

Nays—0

In The Chair: Sak

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

House Bill No. 6456, entitled

A bill to amend 1967 PA 270, entitled “An act to provide for the release of certain information or data relating to health care research or education, health care entities, practitioners, or professions, or certain governmentally funded programs; to limit the liability with respect to the release of certain information or data; and to safeguard the confidential character of certain information or data,” by amending the title and section 1 (MCL 331.531), the title as amended by 1980 PA 3 and section 1 as amended by 2005 PA 89, and by adding section 4.

The Senate has amended the bill as follows:

1. Amend page 6, line 11, after “**2009**,” by striking out the balance of the line through “**A**” on line 15 and inserting “**A**”.

2. Amend page 6, line 16, after “**DATA**” by inserting “**REGARDING SERIOUS ADVERSE EVENTS THAT OCCUR IN HOSPITALS**”.

3. Amend page 6, line 18, after “**STATE.**” by striking out the balance of the subsection.

The Senate has passed the bill as amended and ordered that it be given immediate effect.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the amendments made to the bill by the Senate,

The amendments were concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1238

Yeas—93

Accavitti	Donigan	Lahti	Pearce
Agema	Ebli	Law, Kathleen	Polidori
Amos	Emmons	LeBlanc	Proos

Angerer	Espinoza	Leland	Robertson
Ball	Farrah	Lemmons	Rocca
Bauer	Gillard	Lindberg	Sak
Bieda	Gonzales	Marleau	Schuitmaker
Booher	Green	Mayes	Shaffer
Brandenburg	Griffin	McDowell	Sheen
Brown	Hammel	Meadows	Sheltrown
Byrnes	Hammon	Meekhof	Simpson
Byrum	Hansen	Meisner	Smith, Alma
Calley	Hildenbrand	Melton	Smith, Virgil
Casperson	Hood	Meltzer	Spade
Caul	Hopgood	Moolenaar	Stahl
Clack	Horn	Moore	Stakoe
Clemente	Huizenga	Moss	Tobocman
Condino	Hune	Nitz	Valentine
Constan	Jackson	Nofs	Walker
Corriveau	Johnson	Opsommer	Ward
Coulouris	Jones, Rick	Palsrok	Warren
Cushingberry	Jones, Robert	Pastor	Wenke
Dean	Knollenberg	Pavlov	Young
Dillon			

Nays—0

In The Chair: Sak

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

Second Reading of Bills

Senate Bill No. 1451, entitled

A bill to amend 1933 PA 254, entitled “The motor carrier act,” by amending the title and section 1 of article I, sections 2, 6, and 7 of article IV, and sections 2, 8, 9, and 10 of article V (MCL 475.1, 478.2, 478.6, 478.7, 479.2, 479.8, 479.9, and 479.10), the title and section 10 of article V as amended by 1982 PA 399, section 1 of article I and section 2 of article V as amended by 2007 PA 33, section 2 of article IV as amended by 1993 PA 352, and section 7 of article IV as amended by 1989 PA 221.

The bill was read a second time.

Rep. Tobocman moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 1451, entitled

A bill to amend 1933 PA 254, entitled “The motor carrier act,” by amending the title and section 1 of article I, sections 2, 6, and 7 of article IV, and sections 2, 8, 9, and 10 of article V (MCL 475.1, 478.2, 478.6, 478.7, 479.2, 479.8, 479.9, and 479.10), the title and section 10 of article V as amended by 1982 PA 399, section 1 of article I and section 2 of article V

as amended by 2007 PA 33, section 2 of article IV as amended by 1993 PA 352, and section 7 of article IV as amended by 1989 PA 221.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1239**Yeas—93**

Accavitti	Donigan	Lahti	Pearce
Agema	Ebli	Law, Kathleen	Polidori
Amos	Emmons	LeBlanc	Proos
Angerer	Espinoza	Leland	Robertson
Ball	Farrah	Lemmons	Rocca
Bauer	Gillard	Lindberg	Sak
Bieda	Gonzales	Marleau	Schuitmaker
Booher	Green	Mayes	Shaffer
Brandenburg	Griffin	McDowell	Sheen
Brown	Hammel	Meadows	Sheltrown
Byrnes	Hammon	Meekhof	Simpson
Byrum	Hansen	Meisner	Smith, Alma
Calley	Hildenbrand	Melton	Smith, Virgil
Casperson	Hood	Meltzer	Spade
Caul	Hopgood	Moolenaar	Stahl
Clack	Horn	Moore	Stakoe
Clemente	Huizenga	Moss	Tobocman
Condino	Hune	Nitz	Valentine
Constan	Jackson	Nofs	Walker
Corriveau	Johnson	Opsommer	Ward
Coulouris	Jones, Rick	Palsrok	Warren
Cushingberry	Jones, Robert	Pastor	Wenke
Dean	Knollenberg	Pavlov	Young
Dillon			

Nays—0

In The Chair: Sak

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to promote safety upon and conserve the use of public highways of the state; to provide for the supervision, regulation, and control of the use of such highways by all motor vehicles operated by carriers of property for hire upon or over such highways; to preserve, foster, and regulate transportation and permit the coordination of motor vehicle transportation facilities; to provide for the supervision, regulation, and control of the use of such highways by all motor vehicles for hire for such purposes; to classify and regulate carriers of property by motor vehicles for hire upon such public highways for such purposes; to give the Michigan Public Service Commission jurisdiction and authority to prevent evasion of this act through any device or arrangement; to insure adequate transportation service; to give the commission jurisdiction and authority to fix, alter, regulate, and determine rates, fares, charges, classifications, and practices of common motor carriers for such purposes; to require filing with the commission of rates, fares, and charges of contract carriers and to authorize the commission to prescribe minimum rates, fares, and charges, and to require the observance thereof; to prevent unjust discrimination; to prescribe the powers and duties of said commission with reference thereto; to provide for appeals from the orders of such commission; to confer jurisdiction upon the circuit court for the county of Ingham for such appeals; to provide for the levy and collection of certain privilege fees and taxes for such carriers for such purposes and the disposition of such fees and taxes; and to provide for the enforcement of this act; and to prescribe penalties for its violations.”

The House agreed to the full title.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Second Reading of Bills

Senate Bill No. 1549, entitled

A bill to amend 1990 PA 250, entitled “DNA identification profiling system act,” (MCL 28.171 to 28.176) by adding section 5.

The bill was read a second time.

Rep. Tobocman moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 1549, entitled

A bill to amend 1990 PA 250, entitled “DNA identification profiling system act,” (MCL 28.171 to 28.176) by adding section 5.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1240

Yeas—91

Accavitti	Dillon	Lahti	Polidori
Agema	Donigan	Law, Kathleen	Proos
Amos	Ebli	LeBlanc	Robertson
Angerer	Emmons	Leland	Rocca
Ball	Espinoza	Lemmons	Sak
Bauer	Farrah	Lindberg	Schuitmaker
Bieda	Gillard	Marleau	Shaffer
Booher	Gonzales	Mayes	Sheen
Brandenburg	Green	McDowell	Sheltrown
Brown	Griffin	Meadows	Simpson
Byrnes	Hammel	Meisner	Smith, Alma
Byrum	Hammon	Melton	Smith, Virgil
Calley	Hansen	Meltzer	Spade
Casperson	Hildenbrand	Moolenaar	Stahl
Caul	Hood	Moore	Stakoe
Clack	Hopgood	Moss	Tobocman
Clemente	Horn	Nitz	Valentine
Condino	Hune	Nofs	Walker
Constan	Jackson	Opsommer	Ward
Corriveau	Johnson	Palsrok	Warren
Coulouris	Jones, Rick	Pastor	Wenke
Cushingberry	Jones, Robert	Pavlov	Young
Dean	Knollenberg	Pearce	

Nays—0

In The Chair: Sak

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to provide for a DNA identification profiling system; to provide for the collection of samples from certain prisoners, convicted offenders, and juvenile offenders and the analysis of those samples; and to prescribe the powers and duties of certain state departments and county agencies,”

The House agreed to the full title.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Rep. Tobocman moved that Rep. Dillon be excused temporarily from today's session.

The motion prevailed.

Rep. Hansen moved that Reps. Amos, Schuitmaker, Shaffer and Nitz be excused temporarily from today's session.

The motion prevailed.

Rep. Tobocman moved that Reps. Lahti, McDowell and Lindberg be excused temporarily from today's session.

The motion prevailed.

Rep. Hildenbrand moved that Rep. Palsrok be excused temporarily from today's session.

The motion prevailed.

By unanimous consent the House returned to the order of

Messages from the Senate

House Bill No. 6025, entitled

A bill to establish the united way fund in the department of treasury; to establish the children's hospital of Michigan fund in the department of community health; to provide for the distribution of the money from those funds; to prescribe the powers and duties of certain agencies and officials; and to provide for appropriations.

The Senate has amended the House substitute (H-1) as follows:

1. Amend page 4, line 7, by striking out all of enacting section 1.

The Senate has concurred in the House substitute (H-1) as amended.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the amendment to the House substitute (H-1) made to the bill by the Senate,

The amendment was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1241

Yeas—83

Accavitti	Donigan	Jones, Robert	Polidori
Angerer	Ebli	Knollenberg	Proos
Ball	Emmons	Law, Kathleen	Robertson
Bauer	Espinoza	LeBlanc	Rocca
Bieda	Farrah	Leland	Sak
Booher	Gillard	Lemmons	Sheen
Brandenburg	Gonzales	Marleau	Sheltrown
Brown	Green	Mayes	Simpson
Byrnes	Griffin	Meadows	Smith, Alma
Byrum	Hammel	Meekhof	Smith, Virgil
Calley	Hammon	Meisner	Spade
Casperson	Hansen	Melton	Stahl
Caul	Hildenbrand	Meltzer	Stakoe
Clack	Hood	Moolenaar	Tobocman
Clemente	Hopgood	Moore	Valentine
Condino	Horn	Moss	Walker
Constan	Huizenga	Nofs	Ward
Corriveau	Hune	Opsommer	Warren

Coulouris
Cushingberry
Dean

Jackson
Johnson
Jones, Rick

Pastor
Pavlov
Pearce

Wenke
Young

Nays—1

Agema

In The Chair: Sak

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

Third Reading of Bills

Rep. Tobocman moved that **Senate Bill No. 1039** be placed on its immediate passage.
The motion prevailed, a majority of the members serving voting therefor.

Senate Bill No. 1039, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” (MCL 380.1 to 380.1852) by adding section 641.
Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1242

Yeas—88

Accavitti
Agema
Amos
Angerer
Ball
Bauer
Bieda
Booher
Brandenburg
Brown
Byrnes
Byrum
Calley
Casperson
Caul
Clack
Clemente
Condino
Constan
Corriveau
Coulouris
Cushingberry

Dean
Donigan
Ebli
Emmons
Espinoza
Farrah
Gillard
Gonzales
Green
Griffin
Hammel
Hammon
Hansen
Hildenbrand
Hood
Hopgood
Horn
Huizenga
Hune
Jackson
Johnson
Jones, Rick

Jones, Robert
Knollenberg
Law, Kathleen
LeBlanc
Leland
Lemmons
Marleau
Mayes
Meadows
Meekhof
Meisner
Melton
Meltzer
Moolenaar
Moore
Moss
Nitz
Nofs
Opsommer
Palsrok
Pastor
Pavlov

Pearce
Polidori
Proos
Robertson
Rocca
Sak
Schuitmaker
Sheen
Sheltrown
Simpson
Smith, Alma
Smith, Virgil
Spade
Stahl
Stakoe
Tobocman
Valentine
Walker
Ward
Warren
Wenke
Young

Nays—0

In The Chair: Sak

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, intermediate school districts, and other public school entities; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, intermediate school districts, and other public school entities; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts,”

The House agreed to the full title.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Second Reading of Bills

Senate Bill No. 1252, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending sections 1230, 1230a, and 1230g (MCL 380.1230, 380.1230a, and 380.1230g), as amended by 2006 PA 680; and to repeal acts and parts of acts.

The bill was read a second time.

Rep. Melton moved to amend the bill as follows:

1. Amend page 36, following line 2, by striking out all of enacting section 1.

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Tobocman moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 1252, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending sections 1230, 1230a, and 1230g (MCL 380.1230, 380.1230a, and 380.1230g), as amended by 2006 PA 680; and to repeal acts and parts of acts.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1243

Yeas—89

Accavitti	Donigan	Knollenberg	Polidori
Agema	Ebli	Law, Kathleen	Proos
Amos	Emmons	LeBlanc	Robertson
Angerer	Espinoza	Leland	Rocca
Ball	Farrah	Lemmons	Sak
Bauer	Gillard	Marleau	Schuitmaker
Bieda	Gonzales	Mayes	Shaffer
Booher	Green	Meadows	Sheen
Brandenburg	Griffin	Meekhof	Sheltrown
Brown	Hammel	Meisner	Simpson
Byrnes	Hammon	Melton	Smith, Alma
Byrum	Hansen	Meltzer	Smith, Virgil
Calley	Hildenbrand	Moolenaar	Spade
Casperson	Hood	Moore	Stahl
Caul	Hopgood	Moss	Stakoe

Clack	Horn	Nitz	Tobocman
Clemente	Huizenga	Nofs	Valentine
Condino	Hune	Opsommer	Walker
Constan	Jackson	Palsrok	Ward
Corriveau	Johnson	Pastor	Warren
Coulouris	Jones, Rick	Pavlov	Wenke
Cushingberry	Jones, Robert	Pearce	Young
Dean			

Nays—0

In The Chair: Sak

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, intermediate school districts, and other public school entities; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, intermediate school districts, and other public school entities; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts,”

The House agreed to the full title.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Senate Bill No. 1549, entitled

A bill to amend 1990 PA 250, entitled “DNA identification profiling system act,” (MCL 28.171 to 28.176) by adding section 5.

(The bill was passed earlier today, see today’s Journal, p. 3308.)

Rep. Tobocman moved to reconsider the vote by which the House passed the bill.

The motion prevailed, a majority of the members serving voting therefor.

The question being on the passage of the bill,

Rep. Condino moved to substitute (H-2) the bill.

The motion was seconded and the substitute (H-2) was adopted, a majority of the members serving voting therefor.

The question being on the passage of the bill,

The bill was then passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1244**Yeas—92**

Accavitti	Donigan	Lahti	Pearce
Agema	Ebli	Law, Kathleen	Polidori
Amos	Emmons	LeBlanc	Proos
Angerer	Espinoza	Leland	Robertson
Ball	Farrah	Lemmons	Rocca
Bauer	Gillard	Lindberg	Sak
Bieda	Gonzales	Marleau	Schuitmaker
Booher	Green	Mayes	Shaffer
Brandenburg	Griffin	McDowell	Sheen
Brown	Hammel	Meadows	Sheltrown

Byrnes	Hammon	Meekhof	Simpson
Byrum	Hansen	Meisner	Smith, Alma
Calley	Hildenbrand	Melton	Smith, Virgil
Casperson	Hood	Meltzer	Spade
Caul	Hopgood	Moolenaar	Stahl
Clack	Horn	Moore	Stakoe
Clemente	Huizenga	Moss	Tobocman
Condino	Hune	Nitz	Valentine
Constan	Jackson	Nofs	Walker
Corriveau	Johnson	Opsommer	Ward
Coulouris	Jones, Rick	Palsrok	Warren
Cushingberry	Jones, Robert	Pastor	Wenke
Dean	Knollenberg	Pavlov	Young

Nays—0

In The Chair: Sak

The question being on agreeing to the title of the bill,

Rep. Tobocman moved to amend the title to read as follows:

A bill to amend 1990 PA 250, entitled “An act to provide for a DNA identification profiling system; to provide for the collection of samples from certain prisoners, convicted offenders, and juvenile offenders and the analysis of those samples; and to prescribe the powers and duties of certain state departments and county agencies,” by amending sections 2 and 6 (MCL 28.172 and 28.176), section 2 as amended by 2001 PA 88 and section 6 as amended by 2003 PA 76, and by adding section 5.

The motion prevailed.

The House agreed to the title as amended.

Rep. Hansen moved that Reps. Huizenga, Marleau, Opsommer, Moss and Stahl be excused temporarily from today’s session.

The motion prevailed.

Rep. Tobocman moved that Reps. Farrah, Gonzales and Young be excused temporarily from today’s session.

The motion prevailed.

By unanimous consent the House returned to the order of

Messages from the Senate

Senate Bill No. 1038, entitled

A bill to amend 2007 PA 36, entitled “An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, reporting, payment, and enforcement of taxes on certain commercial, business, and financial activities; to prescribe the powers and duties of public officers and state departments; to provide for the inspection of certain taxpayer records; to provide for interest and penalties; to provide exemptions, credits, and refunds; to provide for the disposition of funds; to provide for the interrelation of this act with other acts; and to make appropriations,” by amending section 111 (MCL 208.1111), as amended by 2007 PA 207.

The Senate has amended the House substitute (H-13) to the Senate substitute (S-5) to the House substitute (H-11) as follows:

1. Amend page 15, line 21, after “unless” by striking out the balance of enacting section 2 and inserting “Senate Bill No. 1052 of the 94th Legislature is enacted into law.”.

The Senate has concurred in the House substitute (H-13) to the Senate substitute (S-5) to the House substitute (H-11), as amended.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the amendment to the House substitute (H-13) to the Senate substitute (S-5) to the House substitute (H-11) made to the bill by the Senate,

The amendment was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1245

Yeas—85

Accavitti	Dean	Knollenberg	Pearce
Agema	Dillon	Lahti	Polidori
Amos	Donigan	Law, Kathleen	Proos
Angerer	Ebli	LeBlanc	Robertson
Ball	Emmons	Leland	Rocca
Bauer	Espinoza	Lemmons	Sak
Bieda	Gillard	Lindberg	Schuitmaker
Booher	Green	Mayes	Shaffer
Brandenburg	Griffin	McDowell	Sheen
Brown	Hammel	Meadows	Sheltrown
Byrnes	Hammon	Meekhof	Simpson
Byrum	Hansen	Meisner	Smith, Alma
Calley	Hildenbrand	Melton	Smith, Virgil
Casperson	Hood	Meltzer	Spade
Caul	Hopgood	Moolenaar	Stakoe
Clack	Horn	Moore	Tobocman
Clemente	Hune	Nitz	Valentine
Condino	Jackson	Nofs	Walker
Constan	Johnson	Palsrok	Ward
Corriveau	Jones, Rick	Pastor	Warren
Coulouris	Jones, Robert	Pavlov	Wenke
Cushingberry			

Nays—0

In The Chair: Sak

Senate Bill No. 1052, entitled

A bill to amend 2007 PA 36, entitled “An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, reporting, payment, and enforcement of taxes on certain commercial, business, and financial activities; to prescribe the powers and duties of public officers and state departments; to provide for the inspection of certain taxpayer records; to provide for interest and penalties; to provide exemptions, credits, and refunds; to provide for the disposition of funds; to provide for the interrelation of this act with other acts; and to make appropriations,” by amending sections 109 and 403 (MCL 208.1109 and 208.1403), section 403 as amended by 2007 PA 145, and by adding section 461.

The Senate has amended the House substitute (H-1) as follows:

1. Amend page 6, line 16, after “**TAX**” by striking out “**LOSS**” and inserting “**INCREASE**”.
2. Amend page 6, line 16, after “**ACT**” by inserting “**ACCRUED FOR FINANCIAL REPORTING PURPOSES**”.
3. Amend page 6, line 17, after “**SECTION 168**” by striking out “**(F)**” and inserting “**(K)**”.

The Senate has concurred in the House substitute (H-1) as amended, ordered that the bill be given immediate effect and agreed to the title as amended.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the amendments to the House substitute (H-1) made to the bill by the Senate,

The amendments were concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1246**Yeas—60**

Accavitti	Dean	Horn	Nofs
Angerer	Dillon	Jackson	Palsrok
Bauer	Donigan	Johnson	Polidori
Bieda	Ebli	Jones, Robert	Sak
Brown	Espinoza	Lahti	Sheltrown
Byrnes	Farrah	Law, Kathleen	Simpson
Byrum	Gillard	LeBlanc	Smith, Alma
Calley	Gonzales	Leland	Smith, Virgil
Clack	Griffin	Lemmons	Spade
Clemente	Hammel	Lindberg	Stakoe
Condino	Hammon	Mayes	Tobocman
Constan	Hansen	McDowell	Valentine
Corriveau	Hildenbrand	Meadows	Ward
Coulouris	Hood	Meisner	Warren
Cushingberry	Hopgood	Melton	Wenke

Nays—30

Agema	Green	Moore	Robertson
Amos	Hune	Nitz	Rocca
Ball	Jones, Rick	Opsommer	Schuitmaker
Booher	Knollenberg	Pastor	Shaffer
Brandenburg	Marleau	Pavlov	Sheen
Casperson	Meekhof	Pearce	Stahl
Caul	Meltzer	Proos	Walker
Emmons	Moolenaar		

In The Chair: Sak

House Bill No. 5375, entitled

A bill to authorize the creation of promise zones and implementation of promise zone development plans; to provide for the creation of promise zone authorities; to prescribe the powers and duties of promise zone authorities; to provide for the capture and disbursement of certain tax revenue; and to prescribe powers and duties of certain state and local officials.

The Senate has substituted (S-3) the bill.

The Senate has passed the bill as substituted (S-3), ordered that it be given immediate effect and amended the title to read as follows:

A bill to authorize the creation of promise zones; and to prescribe powers and duties of certain state and local officials.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the (S-3) made to the bill by the Senate,

The substitute (S-3) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1247**Yeas—59**

Accavitti	Coulouris	Hood	Meisner
Angerer	Cushingberry	Hopgood	Melton

Ball	Dean	Hune	Moore
Bauer	Dillon	Jackson	Nofs
Bieda	Donigan	Johnson	Palsrok
Brandenburg	Ebli	Jones, Robert	Polidori
Brown	Emmons	Lahti	Sak
Byrnes	Espinoza	Law, Kathleen	Sheltrown
Byrum	Farrah	LeBlanc	Simpson
Calley	Gillard	Leland	Smith, Virgil
Clack	Gonzales	Lemmons	Spade
Clemente	Griffin	Lindberg	Tobocman
Condino	Hammel	Mayes	Valentine
Constan	Hammon	McDowell	Ward
Corriveau	Hildenbrand	Meadows	

Nays—30

Agema	Jones, Rick	Pastor	Shaffer
Amos	Knollenberg	Pavlov	Sheen
Booher	Marleau	Pearce	Smith, Alma
Casperson	Meekhof	Proos	Stahl
Caul	Meltzer	Robertson	Stakoe
Hansen	Moolenaar	Rocca	Walker
Horn	Nitz	Schuitmaker	Warren
Huizenga	Opsommer		

In The Chair: Sak

The House agreed to the title as amended.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

House Bill No. 6645, entitled

A bill to amend 1990 PA 250, entitled “DNA identification profiling system act,” by amending section 3a (MCL 28.173a), as added by 2001 PA 88.

The Senate has amended the bill as follows:

1. Amend page 2, following line 5, by inserting:

“Enacting section 1. This amendatory act does not take effect unless Senate Bill No. 1549 of the 94th Legislature is enacted into law.”.

The Senate has passed the bill as amended, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the amendment made to the bill by the Senate,

The amendment was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1248**Yeas—92**

Accavitti	Dillon	Knollenberg	Pearce
Agema	Donigan	Lahti	Polidori
Amos	Ebli	Law, Kathleen	Proos
Angerer	Emmons	LeBlanc	Robertson
Ball	Espinoza	Leland	Rocca

Bauer	Farrah	Lemmons	Sak
Bieda	Gillard	Lindberg	Schuitmaker
Booher	Gonzales	Marleau	Shaffer
Brandenburg	Green	Mayes	Sheen
Brown	Griffin	McDowell	Sheltrown
Byrnes	Hammel	Meadows	Simpson
Byrum	Hammon	Meekhof	Smith, Alma
Calley	Hansen	Meisner	Smith, Virgil
Casperson	Hildenbrand	Melton	Spade
Caul	Hood	Meltzer	Stahl
Clack	Hopgood	Moolenaar	Stakoe
Clemente	Horn	Moore	Tobocman
Condino	Huizenga	Nitz	Valentine
Constan	Hune	Nofs	Walker
Corriveau	Jackson	Opsommer	Ward
Coulouris	Johnson	Palsrok	Warren
Cushingberry	Jones, Rick	Pastor	Wenke
Dean	Jones, Robert	Pavlov	Young

Nays—0

In The Chair: Sak

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

House Bill No. 6646, entitled

A bill to amend 1990 PA 250, entitled “DNA identification profiling system act,” (MCL 28.171 to 28.176) by adding section 5a.

The Senate has amended the bill as follows:

1. Amend page 2, following line 2, by inserting:

“Enacting section 1. This amendatory act does not take effect unless Senate Bill No. 1549 of the 94th Legislature is enacted into law.”.

The Senate has passed the bill as amended, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the amendment made to the bill by the Senate,

The amendment was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1249

Yeas—92

Accavitti	Dillon	Knollenberg	Pearce
Agema	Donigan	Lahti	Polidori
Amos	Ebli	Law, Kathleen	Proos
Angerer	Emmons	LeBlanc	Robertson
Ball	Espinoza	Leland	Rocca
Bauer	Farrah	Lemmons	Sak
Bieda	Gillard	Lindberg	Schuitmaker
Booher	Gonzales	Marleau	Shaffer
Brandenburg	Green	Mayes	Sheen
Brown	Griffin	McDowell	Sheltrown

Byrnes	Hammel	Meadows	Simpson
Byrum	Hammon	Meekhof	Smith, Alma
Calley	Hansen	Meisner	Smith, Virgil
Casperson	Hildenbrand	Melton	Spade
Caul	Hood	Meltzer	Stahl
Clack	Hopgood	Moolenaar	Stakoe
Clemente	Horn	Moore	Tobocman
Condino	Huizenga	Nitz	Valentine
Constan	Hune	Nofs	Walker
Corriveau	Jackson	Opsommer	Ward
Coulouris	Johnson	Palsrok	Warren
Cushingberry	Jones, Rick	Pastor	Wenke
Dean	Jones, Robert	Pavlov	Young

Nays—0

In The Chair: Sak

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

House Bill No. 5691, entitled

A bill to amend 1985 PA 106, entitled “State convention facility development act,” by amending sections 3, 8, 9, 10, 12, and 20 (MCL 207.623, 207.628, 207.629, 207.630, 207.632, and 207.640), section 3 as amended by 2006 PA 609, sections 8, 9, and 10 as amended by 2007 PA 72, and section 12 as amended by 2002 PA 237.

The Senate has substituted (S-2) the bill.

The Senate has passed the bill as substituted (S-2), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the (S-2) made to the bill by the Senate,

The substitute (S-2) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1250**Yeas—57**

Accavitti	Dillon	Johnson	Pastor
Angerer	Donigan	Jones, Robert	Polidori
Bauer	Ebli	Lahti	Sak
Bieda	Espinoza	Law, Kathleen	Sheltrown
Brown	Farrah	LeBlanc	Simpson
Byrnes	Gillard	Leland	Smith, Alma
Byrum	Gonzales	Lemmons	Smith, Virgil
Clack	Griffin	Lindberg	Spade
Clemente	Hammel	Mayes	Tobocman
Condino	Hammon	McDowell	Valentine
Constan	Hildenbrand	Meadows	Ward
Corriveau	Hood	Meisner	Warren
Coulouris	Hopgood	Melton	Wenke
Cushingberry	Jackson	Palsrok	Young
Dean			

Nays—35

Agema	Green	Meltzer	Robertson
Amos	Hansen	Moolenaar	Rocca
Ball	Horn	Moore	Schuitmaker
Booher	Huizenga	Nitz	Shaffer
Brandenburg	Hune	Nofs	Sheen
Calley	Jones, Rick	Opsommer	Stahl
Casperson	Knollenberg	Pavlov	Stakoe
Caul	Marleau	Pearce	Walker
Emmons	Meekhof	Proos	

In The Chair: Sak

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

Rep. Tobocman moved that the Committee on Appropriations be discharged from further consideration of **Senate Bill No. 1104**.

The motion prevailed, a majority of the members serving voting therefor.

The bill was placed on the order of Second Reading of Bills.

Second Reading of Bills**Senate Bill No. 1104, entitled**

A bill to make and supplement appropriations for the Michigan strategic fund and certain other state purposes for the fiscal year ending September 30, 2009; to provide for the expenditure of the appropriations; to provide certain conditions on appropriations; and to provide for the disposition of fees and other income received by certain state agencies.

The bill was read a second time.

Rep. Huizenga moved to amend the bill as follows:

1. Amend page 3, line 17, by striking out all of enacting section 1 and inserting:

“Enacting section 1. This act does not take effect unless House Bill No. 4257 of the 94th Legislature is enacted into law.”.

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Tobocman moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

Third Reading of Bills**Senate Bill No. 1104, entitled**

A bill to make and supplement appropriations for the Michigan strategic fund and certain other state purposes for the fiscal year ending September 30, 2009; to provide for the expenditure of the appropriations; to provide certain conditions on appropriations; and to provide for the disposition of fees and other income received by certain state agencies.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1251**Yeas—81**

Accavitti	Dean	Jones, Rick	Pastor
Agema	Dillon	Jones, Robert	Pavlov
Angerer	Donigan	Knollenberg	Pearce
Ball	Ebli	Lahti	Polidori
Bauer	Emmons	Law, Kathleen	Proos
Bieda	Espinoza	LeBlanc	Rocca
Booher	Farrah	Leland	Sak
Brandenburg	Gonzales	Lemmons	Schuitmaker
Brown	Green	Lindberg	Shaffer
Byrnes	Griffin	Marleau	Sheltrown
Byrum	Hammel	Mayes	Simpson
Calley	Hammon	McDowell	Smith, Alma
Casperson	Hansen	Meadows	Smith, Virgil
Caul	Hildenbrand	Meekhof	Spade
Clack	Hood	Melton	Stakoe
Clemente	Hopgood	Moolenaar	Tobocman
Condino	Horn	Nitz	Valentine
Constan	Huizenga	Nofs	Walker
Corriveau	Jackson	Opsommer	Warren
Coulouris	Johnson	Palsrok	Young
Cushingberry			

Nays—10

Amos	Meltzer	Sheen	Ward
Gillard	Moore	Stahl	Wenke
Hune	Robertson		

In The Chair: Sak

The House agreed to the title of the bill.
Rep. Tobocman moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.

By unanimous consent the House returned to the order of

Messages from the Senate**House Bill No. 4260, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16a of chapter IX (MCL 769.16a), as amended by 2005 PA 106.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

House Bill No. 4425, entitled

A bill to amend 1992 PA 234, entitled “The judges retirement act of 1992,” (MCL 38.2101 to 38.2670) by adding section 513.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

House Bill No. 4688, entitled

A bill to amend 1956 PA 40, entitled "The drain code of 1956," by amending section 196 (MCL 280.196), as amended by 1989 PA 149.

The Senate has passed the bill and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

House Bill No. 5025, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 2201, 2202, 2203, 2204, 2205, 2208, 2209, 2210, and 2211 (MCL 339.2201, 339.2202, 339.2203, 339.2204, 339.2205, 339.2208, 339.2209, 339.2210, and 339.2211), section 2204 as amended by 1981 PA 83 and sections 2205 and 2209 as amended by 1988 PA 463.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

House Bill No. 5026, entitled

A bill to amend 1979 PA 152, entitled "State license fee act," by amending section 15 (MCL 338.2215), as amended by 2007 PA 77.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

House Bill No. 5437, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.155) by adding section 7nn.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

House Bill No. 6093, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16v of chapter XVII (MCL 777.16v), as amended by 2002 PA 123.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

House Bill No. 6148, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 14p of chapter XVII (MCL 777.14p), as amended by 2006 PA 251.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

House Bill No. 6193, entitled

A bill to establish the children's miracle network and children's hospital of Michigan fund in the department of community health; to provide for the distribution of the money from the fund; to prescribe the powers and duties of certain agencies and officials; and to provide for appropriations.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

House Bill No. 6426, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 20 (MCL 421.20), as amended by 2003 PA 174.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

House Bill No. 6427, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 29 (MCL 421.29), as amended by 2002 PA 192.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

House Bill No. 6542, entitled

A bill to amend 1867 PA 35, entitled "An act to provide for the formation of street railway companies, defining their powers and duties and authorizing the construction, use, maintenance and ownership of street railways for the transportation of passengers, and for accumulating, storing, manufacturing, conducting, using, selling, furnishing and supplying electricity and electric power, by such companies," by amending the title and sections 1, 3, 5, 7, 9, 11, 13, 15, 17, 19, and 27 (MCL 472.1, 472.3, 472.5, 472.7, 472.9, 472.11, 472.13, 472.15, 472.17, 472.19, and 472.27) and by adding section 21; and to repeal acts and parts of acts.

The Senate has concurred in the House substitute (H-4) to the Senate substitute (S-3).

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

House Bill No. 6543, entitled

A bill to amend 1982 PA 162, entitled "An act to revise, consolidate, and classify the laws relating to the organization and regulation of certain nonprofit corporations; to prescribe their duties, rights, powers, immunities, and liabilities; to provide for the authorization of foreign nonprofit corporations within this state; to impose certain duties on certain state departments; to prescribe fees; to prescribe penalties for violations of this act; and to repeal certain acts and parts of acts," by amending section 123 (MCL 450.2123), as amended by 1990 PA 39.

The Senate has concurred in the House substitute (H-1) to the Senate substitute (S-1).

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

House Bill No. 6546, entitled

A bill to amend 1993 PA 354, entitled "An act to revise, consolidate, and codify the laws relating to railroads and their employees; to prescribe powers and duties of certain state and local agencies and officials; to prescribe fees; to create certain funds; to provide for the disposition of certain money; to provide remedies and penalties; and to repeal certain acts and parts of acts," by amending section 109 (MCL 462.109), as amended by 2002 PA 658, and by adding section 450.

The Senate has concurred in the House substitute (H-1) to the Senate substitute (S-1).

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

House Bill No. 6492, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1211 (MCL 380.1211), as amended by 2007 PA 37.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

House Bill No. 6625, entitled

A bill to amend 1927 PA 175, entitled "An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act," by amending section 14m of chapter XVII (MCL 777.14m), as amended by 2002 PA 659.

The Senate has concurred in the House amendment to the Senate amendment.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

Senate Concurrent Resolution No. 35.

A concurrent resolution prescribing the legislative schedule.

Resolved by the Senate (the House of Representatives concurring), That when the Legislature adjourns on Friday, December 19, 2008, it stands adjourned until Tuesday, December 30, 2008, at 11:30 a.m. for the Senate and 11:15 a.m. for the House of Representatives; and be it further

Resolved, That when the Legislature adjourns on Tuesday, December 30, 2008, it stands adjourned without day.

The Senate has adopted the concurrent resolution.

Pending the reference of the concurrent resolution to a committee,

Rep. Tobocman moved that Rule 71 be suspended and the concurrent resolution be considered at this time.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Angerer moved that a respectful message be sent to the Senate requesting the return of **Senate Bill No. 1633**.

The motion prevailed.

Rep. Warren moved that Rep. Alma Smith be excused temporarily from today's session.

The motion prevailed.

Messages from the Senate**House Bill No. 5924, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 113 (MCL 208.1113), as amended by 2008 PA 177.

The Senate has amended the bill as follows:

1. Amend page 4, following line 7, by inserting:

“Enacting section 2. This amendatory act is retroactive and is effective January 1, 2008.”.

The Senate has passed the bill as amended, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the amendment made to the bill by the Senate,

The amendment was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1252

Yeas—92

Accavitti	Dillon	Knollenberg	Pavlov
Agema	Donigan	Lahti	Pearce
Amos	Ebli	Law, Kathleen	Polidori
Angerer	Emmons	LeBlanc	Proos
Ball	Espinoza	Leland	Robertson
Bauer	Farrah	Lemmons	Rocca
Bieda	Gillard	Lindberg	Sak
Booher	Gonzales	Marleau	Schuitmaker
Brandenburg	Green	Mayes	Shaffer
Brown	Griffin	McDowell	Sheen
Byrnes	Hammel	Meadows	Sheltrown
Byrum	Hammon	Meekhof	Simpson
Calley	Hansen	Meisner	Smith, Virgil
Casperson	Hildenbrand	Melton	Spade
Caul	Hood	Meltzer	Stahl
Clack	Hopgood	Moolenaar	Stakoe
Clemente	Horn	Moore	Tobocman
Condino	Huizenga	Moss	Valentine
Constan	Hune	Nitz	Walker
Corriveau	Jackson	Nofs	Ward
Coulouris	Johnson	Opsommer	Warren
Cushingberry	Jones, Rick	Palsrok	Wenke
Dean	Jones, Robert	Pastor	Young

Nays—0

In The Chair: Sak

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

The Senate returned, in accordance with the request of the House

Senate Bill No. 1633, entitled

A bill to amend 1987 PA 264, entitled “Health and safety fund act,” by amending sections 3 and 5 (MCL 141.473 and 141.475), as amended by 1998 PA 529.

(The bill was passed earlier today, see today’s Journal, p. 3289.)

Rep. Tobocman moved to reconsider the vote by which the House passed the bill.

The motion prevailed, a majority of the members serving voting therefor.

Third Reading of Bills**Senate Bill No. 1633, entitled**

A bill to amend 1987 PA 264, entitled "Health and safety fund act," by amending sections 3 and 5 (MCL 141.473 and 141.475), as amended by 1998 PA 529.

The question being on the passage of the bill,

Rep. Tobocman moved to substitute (H-1) the bill.

The motion was seconded and the substitute (H-1) was adopted, a majority of the members serving voting therefor.

The question being on the passage of the bill,

Rep. Tobocman moved to amend the bill as follows:

1. Amend page 4, line 23, after "(b)" by striking out "Senate Bill No. 1631" and inserting "House Bill No. 5691".

2. Amend page 4, following line 23, by inserting:

"(c) Senate Bill No. 880.

(d) Senate Bill No. 881.".

The motion was seconded and the amendments were adopted, a majority of the members serving voting therefor.

The question being on the passage of the bill,

The bill was then passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1253**Yeas—58**

Accavitti	Dillon	Johnson	Palsrok
Angerer	Donigan	Jones, Robert	Pastor
Bauer	Ebli	Knollenberg	Polidori
Bieda	Espinoza	Lahti	Sak
Brown	Farrah	Law, Kathleen	Sheltrown
Byrnes	Gillard	LeBlanc	Simpson
Byrum	Gonzales	Leland	Smith, Alma
Clack	Griffin	Lemmons	Smith, Virgil
Clemente	Hammel	Lindberg	Spade
Condino	Hammon	Mayes	Tobocman
Constan	Hildenbrand	McDowell	Valentine
Corriveau	Hood	Meadows	Ward
Coulouris	Hopgood	Meisner	Warren
Cushingberry	Hune	Melton	Young
Dean	Jackson		

Nays—35

Agema	Green	Moore	Rocca
Amos	Hansen	Moss	Schuitmaker
Ball	Horn	Nitz	Shaffer
Booher	Huizenga	Nofs	Sheen
Brandenburg	Jones, Rick	Opsommer	Stahl
Calley	Marleau	Pavlov	Stakoe
Casperson	Meekhof	Pearce	Walker
Caul	Meltzer	Proos	Wenke
Emmons	Moolenaar	Robertson	

In The Chair: Sak

The question being on agreeing to the title of the bill,

Rep. Tobocman moved to amend the title to read as follows:

A bill to amend 1987 PA 264, entitled “An act to provide for the creation of the health and safety fund; to provide for the deposit of certain money in that fund; to provide for the distribution of the money in that fund and to limit its use; to prescribe the powers and duties of certain state officials; and to provide for an appropriation,” by amending section 5 (MCL 141.475), as amended by 1998 PA 529.

The motion prevailed.

The House agreed to the title as amended.

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

Rep. Tobocman moved that the Committee on Great Lakes and Environment be discharged from further consideration of **Senate Bill No. 1392**.

The motion prevailed, a majority of the members serving voting therefor.

The bill was placed on the order of Second Reading of Bills.

Second Reading of Bills

Senate Bill No. 1392, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 14h of chapter XVII (MCL 777.14h), as amended by 2008 PA 65.

The bill was read a second time.

Rep. Warren moved to substitute (H-1) the bill.

The motion prevailed and the substitute (H-1) was adopted, a majority of the members serving voting therefor.

Rep. Tobocman moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 1392, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 14h of chapter XVII (MCL 777.14h), as amended by 2008 PA 65.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1254

Yeas—86

Accavitti

Agema

Amos

Ball

Bauer

Bieda

Booher

Brandenburg

Brown

Ebli

Emmons

Espinoza

Farrah

Gillard

Gonzales

Green

Hammel

Hammon

LeBlanc

Leland

Lemmons

Lindberg

Marleau

Mayes

McDowell

Meadows

Meekhof

Pearce

Polidori

Proos

Robertson

Rocca

Sak

Schuitmaker

Shaffer

Sheen

Byrnes	Hansen	Meisner	Sheltrown
Byrum	Hildenbrand	Melton	Smith, Alma
Calley	Hood	Meltzer	Smith, Virgil
Casperson	Hopgood	Moolenaar	Spade
Caul	Horn	Moore	Stahl
Clemente	Huizenga	Moss	Stakoe
Constan	Hune	Nitz	Tobocman
Corriveau	Jackson	Nofs	Walker
Coulouris	Johnson	Opsommer	Ward
Cushingberry	Jones, Rick	Palsrok	Warren
Dean	Jones, Robert	Pastor	Wenke
Dillon	Knollenberg	Pavlov	Young
Donigan	Lahti		

Nays—1

Condino

In The Chair: Sak

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act.”

The House agreed to the full title.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

By unanimous consent the House returned to the order of

Messages from the Senate

House Bill No. 6122, entitled

A bill to amend 1993 PA 330, entitled “State real estate transfer tax act,” by amending sections 2, 3, and 6 (MCL 207.522, 207.523, and 207.526), section 6 as amended by 2003 PA 128.

The Senate has substituted (S-3) the bill.

The Senate has passed the bill as substituted (S-3), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the (S-3) made to the bill by the Senate,

The substitute (S-3) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1255**Yeas—66**

Accavitti	Dillon	Jones, Robert	Nofs
Angerer	Donigan	Lahti	Palsrok
Bauer	Ebli	Law, Kathleen	Polidori
Bieda	Espinoza	LeBlanc	Rocca
Booher	Farrah	Leland	Schuitmaker
Brown	Gillard	Lemmons	Sheltrown
Byrnes	Gonzales	Lindberg	Simpson
Byrum	Griffin	Mayes	Smith, Alma
Casperson	Hammel	McDowell	Smith, Virgil
Caul	Hammon	Meadows	Spade
Clemente	Hansen	Meekhof	Tobocman
Condino	Hood	Meisner	Valentine
Constan	Hopgood	Melton	Walker
Corriveau	Horn	Moolenaar	Ward
Coulouris	Huizenga	Moore	Warren
Cushingberry	Jackson	Nitz	Young
Dean	Johnson		

Nays—25

Agema	Hildenbrand	Moss	Robertson
Amos	Hune	Opsommer	Sak
Ball	Jones, Rick	Pastor	Shaffer
Brandenburg	Knollenberg	Pavlov	Sheen
Calley	Marleau	Pearce	Stahl
Emmons	Meltzer	Proos	Stakoe
Green			

In The Chair: Sak

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

House Bill No. 6524, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," (MCL 208.1101 to 208.1601) by adding section 446. The Senate has substituted (S-3) the bill.

The Senate has passed the bill as substituted (S-3), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the (S-3) made to the bill by the Senate,

The substitute (S-3) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1256**Yeas—92**

Accavitti	Donigan	Lahti	Pearce
Agema	Ebli	Law, Kathleen	Polidori

Amos	Emmons	LeBlanc	Proos
Angerer	Espinoza	Leland	Robertson
Ball	Farrah	Lemmons	Rocca
Bauer	Gillard	Lindberg	Sak
Bieda	Gonzales	Marleau	Schuitmaker
Booher	Green	Mayes	Shaffer
Brandenburg	Griffin	McDowell	Sheen
Brown	Hammel	Meadows	Sheltrown
Byrnes	Hammon	Meekhof	Simpson
Byrum	Hansen	Meisner	Smith, Alma
Calley	Hildenbrand	Melton	Smith, Virgil
Casperson	Hood	Meltzer	Spade
Caul	Hopgood	Moolenaar	Stahl
Clemente	Horn	Moore	Stakoe
Condino	Huizenga	Moss	Tobocman
Constan	Hune	Nitz	Valentine
Corriveau	Jackson	Nofs	Walker
Coulouris	Johnson	Opsommer	Ward
Cushingberry	Jones, Rick	Palsrok	Warren
Dean	Jones, Robert	Pastor	Wenke
Dillon	Knollenberg	Pavlov	Young

Nays—0

In The Chair: Sak

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

House Bill No. 5118, entitled

A bill to amend 2007 PA 36, entitled “Michigan business tax act,” by amending section 265 (MCL 208.1265).

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 2007 PA 36, entitled “An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, reporting, payment, and enforcement of taxes on certain commercial, business, and financial activities; to prescribe the powers and duties of public officers and state departments; to provide for the inspection of certain taxpayer records; to provide for interest and penalties; to provide exemptions, credits, and refunds; to provide for the disposition of funds; to provide for the interrelation of this act with other acts; and to make appropriations,” by amending section 265 (MCL 208.1265), as amended by 2007 PA 145.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the (S-1) made to the bill by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1257

Yeas—89

Accavitti	Emmons	Law, Kathleen	Polidori
Agea	Espinoza	LeBlanc	Proos
Amos	Farrah	Leland	Robertson
Angerer	Gillard	Lemmons	Rocca

Ball	Gonzales	Lindberg	Sak
Bauer	Green	Marleau	Schuitmaker
Bieda	Griffin	Mayes	Shaffer
Brandenburg	Hammel	McDowell	Sheen
Brown	Hammon	Meadows	Sheltrown
Byrnes	Hansen	Meekhof	Simpson
Byrum	Hildenbrand	Meisner	Smith, Alma
Calley	Hood	Melton	Smith, Virgil
Caul	Hopgood	Meltzer	Spade
Clemente	Horn	Moore	Stahl
Condino	Huizenga	Moss	Stakoe
Constan	Hune	Nitz	Tobocman
Corriveau	Jackson	Nofs	Valentine
Coulouris	Johnson	Opsommer	Walker
Cushingberry	Jones, Rick	Palsrok	Ward
Dean	Jones, Robert	Pastor	Warren
Dillon	Knollenberg	Pavlov	Wenke
Donigan	Lahti	Pearce	Young
Ebli			

Nays—0

In The Chair: Sak

The House agreed to the title as amended.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Tobocman moved that pursuant to House Rule 20, the Clerk of the House be authorized to enroll House bills while the House is not in session.

The motion prevailed.

Rep. Tobocman moved that when the House adjourns today it stand adjourned until Tuesday, December 30, at 11:15 a.m.

The motion prevailed.

Messages from the Senate

House Bill No. 4380, entitled

A bill to amend 2004 PA 175, entitled “Streamlined sales and use tax revenue equalization act,” (MCL 205.171 to 205.191) by adding section 12.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

House Bill No. 5554, entitled

A bill to amend 2004 PA 174, entitled “Streamlined sales and use tax administration act,” by amending section 25 (MCL 205.825).

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

House Bill No. 5555, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending sections 1, 1a, 4g, 4k, 4bb, 12, 18, and 21 (MCL 205.51, 205.51a, 205.54g, 205.54k, 205.54bb, 205.62, 205.68, and 205.71), sections 1, 4g, and 4k as amended and sections 12, 18, and 21 as added by 2004 PA 173, section 1a as amended by 2006 PA 434, and section 4bb as added by 2004 PA 301; and to repeal acts and parts of acts.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

House Bill No. 5556, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending sections 2, 2b, 3a, 3b, 3c, 4d, 4i, 7, 13, 14a, and 14b (MCL 205.92, 205.92b, 205.93a, 205.93b, 205.93c, 205.94d, 205.94i, 205.97, 205.103, 205.104a, and 205.104b), sections 2 and 7 as amended by 2007 PA 103, section 2b as amended by 2006 PA 428, section 3a as amended by 2007 PA 93, section 3b as added by 2002 PA 456, sections 3c, 13, 14a, and 14b as added and section 4d as amended by 2004 PA 172, and section 4i as added by 1986 PA 41; and to repeal acts and parts of acts.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

House Bill No. 5046, entitled

A bill to provide for restroom access for persons with certain medical conditions; to provide immunity from liability for permitting restroom access; and to prescribe penalties.

The Senate has passed the bill.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

Rep. Brandenburg moved that the House adjourn.

The motion prevailed, the time being 11:15 a.m.

The Speaker Pro Tempore declared the House adjourned until Tuesday, December 30, at 11:15 a.m.

RICHARD J. BROWN
Clerk of the House of Representatives

